352.0788
P96 CC
1911

Pueblo (Col.)

The charter of Pueblo, 1911, -

amended, 1913.

LIBRARY OF THE UNIVERSITY OF ILLINOIS
24 OCT 1914

THE CHARTER OF PUEBLO

Framed by Charter Convention
July 28, 1911

By Authority of Article XX
of the Constitution

Adopted September 19, 1911
Amended November 4, 1913

P96c
1911
LIBRARY
OF THE
UNIVERSITY OF ILLINOIS
24 DEC 1914

PREFATORY SYNOPSIS

The Charter Convention, elected on June 1, A. D. 1911, submits to the voters of Pueblo, Colorado, for their approval this Charter.

Under its provisions the people elect five commissioners and three members of a civil service commission, under the preferential system. These officers are all subject to the recall.

The five commissioners compose a council in which is vested the legislative and executive power; and each commissioner is the head of a department for which he is responsible. The council passes all ordinances, and any ordinance may be initiated by the people. All ordinances, except the tax-levy, the annual appropriation and those ordering improvements to be paid for by special assessment, are subject to the referendum.

Each commissioner selects the appointees of his department, with the consent of the council, from an eligible list furnished after competitive examination by the civil service commission. This commission also selects the registrars, judges and clerks of election, the city controller and the judge of the municipal court.

Franchises can only be granted upon a vote of the tax paying electors; city elections are made completely non-partisan and are under municipal control; all powers of the council are carefully and fully stated; and receipts and expenditures are safeguarded to the end that the city, under the charter, may have an efficient, economical and progressive government.

AMENDMENTS.

On November 4, 1913, four Amendments to the Charter were adopted as follows: Reducing the number of commissioners from five to three, adopting the Single Tax in a modified form, placing the Fire Department on twelve hour shifts and providing a new method for creating paving districts.

Digitized by the Internet Archive
in 2016

https://archive.org/details/charterofpueblof00pueb

THE CHARTER OF PUEBLO

PREAMBLE.

We, the people of Pueblo, under the authority of the Constitution of the State of Colorado, do ordain and establish, for our municipal government, this Charter.

ARTICLE I.

NAME-BOUNDARIES-RIGHTS-LIABILITIES.

Section 1.—Name-Boundaries.—The municipal corporation, heretofore existing as a city of the first class in Pueblo County, State of Colorado, and known as Pueblo, shall remain and continue a body politic and corporate under this charter, with the same name and boundaries, until changed in manner authorized by law.

Section 2.—Rights-Liabilities.—By the name of Pueblo, the city shall have perpetual succession; shall own, possess and hold all the property, real and personal, heretofore owned, possessed and held by said city, including the real and personal property owned, possessed and held for park districts, water districts and former towns and cities of Pueblo, and shall assume and manage all trusts in any way connected therewith; and shall succeed to all rights and assume all liabilities thereof.

ARTICLE II.

ELECTIVE OFFICERS.

Section 1.—Officers.—That the elective officers, under the Charter, shall be three commissioners and three members of a civil service commission, all of whom shall be nominated and elected by the qualified electors of the city as now provided by Charter.

That the term of office of Thomas D. Donnelly and Charles A. Lannon, as commissioners of said city, shall terminate immediately upon the adoption of this amendment and that in November, 1915, and every four years thereafter, only one com-

missioner shall be elected instead of three as at present provided by the Charter.

NOTE.—(This is an amended section—Adopted November 4, 1913. By implication it appears to amend or repeal a number of other sections which fix the number of commissioners and prescribe their duties.)

Section 2.—Qualifications.—No person shall be eligible to office as a commissioner unless, at the time of his election, he be a citizen of the United States, a qualified elector of Pueblo, and shall have resided therein for three years immediately prior thereto. Members of the Civil Service Commission shall be citizens, taxpayers and qualified electors and shall have resided in Pueblo for three years immediately prior to their election.

Section 3.—Vacancies.—If a vacancy occur in any elective office, the Civil Service Commission shall appoint an eligible person to fill such vacancy until the next general or special city election, subject to recall. A vacancy shall exist when an elective officer fails to qualify for thirty days after the commencement of his term, dies, resigns, removes from the city, absents himself continuously without reasonable excuse for thirty days from the duties of his office, is convicted of violating any provision of this Charter, or of a felony, or is judicially declared a lunatic as defined by statute.

ARTICLE III.

THE COUNCIL.

Section 1.—Membership-Rules.—The council shall consist of the five commissioners. It shall be the judge of the election and qualification of its own members, shall determine its own rules of procedure, may punish its members for disorderly conduct, and may compel the attendance of members.

Section 2.—President and Vice-President.—Each council at its first regular meeting, and thereafter when vacancies in the offices occur, shall elect one of its number President and another Vice-President. The President shall preside at all meetings of the council, shall vote upon all matters, but shall have no veto; and by order of and as President of the council shall sign the journal of its proceedings and also all warrants, bonds, coupons, contracts, licenses and other instruments requiring the assent of the city; but before so doing he shall see that all such instruments correspond with the orders of the

council. The Vice-President, during the absence or disability of the President, shall possess all of his powers and shall perform all of his duties.

Section 3.—Restrictions Upon Members.—No member of the council shall hold any other public office or employment, compensation for which is paid out of municipal money. No person shall be elected or appointed to any office, position or employment under the city, the compensation of which was increased or fixed by the council while he was a member thereof, until after the expiration of one year from the date when he ceased to be a member of the council.

Section 4.—Meetings-Quorum.—The council shall meet every Monday at the City Hall at an hour to be fixed from time to time by the rules of procedure of each council; and the council shall have power by ordinance, to prescribe the manner of calling special meetings thereof. A majority of the members of the council shall constitute a quorum to do business. The council shall sit with open doors at all sessions, and shall keep a journal of its proceedings which shall be a public record.

Section 5.—Ordinances-Resolutions-Motions.—In all executive and legislative matters coming before it, the council shall act only by ordinance, resolution or motion. The ayes and nays shall be taken upon the passage of all ordinances, resolutions and motions and entered upon the journal of the council proceedings. Every member, when present, must vote, and every ordinance, resolution and motion shall require on final passage the affirmative vote of three members. The enacting clause of all ordinances shall be in the words: "Be it ordained by the Council of Pueblo." All contracts involving in the aggregate an expenditure of ten thousand dollars or more shall be authorized only by ordinance. Every ordinance, before final passage, shall be read in at least three regular meetings of the council, may be amended on its first and second readings, and shall be published once in a newspaper of the city at least ten days before its final passage. If such ordinance be amended after such publication, it shall be published once a second time in full as amended, at least four days before its final passage.

Section 6.—Publication and Record, Etc.—Every ordinance passed shall be published once in a newspaper of the city, within five days after its final passage, and shall not take

effect until thirty days after final passage, except the tax levy ordinance, the annual appropriation ordinance and ordinances ordering improvements initiated by petition and to be paid for by special assessments, which ordinances shall take effect immediately upon publication. No ordinance or section thereof shall be amended or repealed except by an ordinance.

The President of the council within three days after their final passage shall sign all ordinances, both upon the ordinance itself and in the "Ordinance Record;" and also all resolutions and motions of the council; and the city clerk in like time shall attest and affix the seal of the city to all ordinances, both upon the ordinance itself and in the "Ordinance Record," and to such resolutions and motions as the council shall direct. A true copy of every ordinance of the city shall be kept in a book marked, "Ordinance Record."

Section 7.—Statements.—The council shall cause to be published monthly a detailed statement of all receipts and expenditures of the city during the preceding month.

Section 8.—Appointments and Confirmations.—All votes of the council upon appointments and confirmations shall be by roll call and recorded. The vote of three members shall be necessary for appointment or confirmation.

ARTICLE IV.

POWERS OF COUNCIL.

Section 1.—Police and Fire Departments.—The council shall have the power to provide for the establishment and maintenance of police and fire departments. Members of the police department shall work eight-hour shifts. Beginning January 1, 1914, members of the fire department shall work twelve-hour shifts. After having served one year, members of the police and fire departments shall thereafter be allowed a two weeks' vacation annually with full pay.

NOTE.—(This is an amended section—Adopted November 4, 1913.)

Section 2.—Building and Fire Regulations.—The council shall have power to regulate all kinds of building construction and repair, and the installation and operation of all kinds of lighting, heating and power wiring, piping and apparatus, all elevators and the erection of partition fences and party walls; to provide for steam boiler and plumbing inspection; to prescribe limits within which wooden buildings shall not be erect-

ed or placed, or coal or lumber yards, or plants or factories dangerous in causing or promting fires, erected or maintained; to regulate or prohibit the sale or use of blank cartridges, track ammunition, torpedoes, fire-crackers or other explosive materials for pyrotechnic displays, the storage of gasoline, dynamite, giant-powder, nitro-glycerine or other highly inflammable, explosive or combustible materials, and the accumulation of waste.

Section 3.—Misdemeanors.—The council shall have power to establish and maintain jails, houses of correction and workhouses for the confinement and reformation of persons convicted of having violated provisions of this Charter or ordinances of the city; and shall have power to pass ordinances prohibiting and punishing, within the city, intoxication, fighting, quarreling, disturbing the peace, vagrancy, riots, affrays, gaming, gambling houses, lotteries, fraudulent devices and practices, the sale and exhibition of obscene and immoral publications, prints, pictures, figures or illustrations, opium joints, the selling or giving away of opium, cocaine and their salts and compounds, the employment or presence of women or minors in saloons or drinking places; and suppressing disorderly houses within the city or within three miles of the outer boundaries thereof and punishing keepers and inmates of disorderly houses and those who knowingly permit property belonging to them or under their control to be used as such.

Section 4.—Health, Etc.—The council shall have power by ordinance to prescribe the quality and the manner of the production, preparation, delivery and sale of milk, meat, fish, fowl and animal food, and their by-products, supplied to the inhabitants of the city; to prohibit the adulteration of foods, drinks, drugs and medicines supplied to the inhabitants of the city; to provide for the quarantine of contagious diseases, the maintenance of sanitary conditions, the promotion of health, the suppression of disease and the registry of births and deaths in the city; to regulate or prohibit, within the city or within one mile of the outer boundaries thereof, the location or maintenance of dairies, slaughter houses, packing houses, breweries, soap-factories, pig-pens, cattle-pens, livery barns, offensive or unwholesome businesses or establishments of any kind and the carrying on of businesses or establishments of any kind in an offensive or unwholesome manner; and to provide for a health department and to appoint under the rules and regulations of the civil service commission, a city physician and necessary inspectors, assistants and employes therefor.

Section 5.—Public Parks.—The council shall have power to provide for the maintenance and improvement of the parks, cemeteries and public grounds of the city and of the several parts and Public Park Improvement Districts thereof, and to make necessary appropriations therefor; and in the annual appropriation ordinance shall specify a certain sum for the maintenance and improvement of each park and cemetery, and in so doing shall take into consideration the revenues of each park and cemetery and give credit therefor. One park superintendent and such skilled employes as shall be provided by ordinance for the care of the parks, cemeteries and public grounds of the city and the several parts and districts thereof shall be appointed by the council under the rules and regulations of the civil service commission.

Section 6.—Streets, etc.—The council shall have power to lay out, open, establish, alter, widen, extend, grade, pave, light, clean, keep in repair, otherwise improve, name, re-name and regulate the use of, or to vacate streets, avenues, alleys, parks and public grounds in the city; plant and care for, or direct and regulate the planting of ornamental and shade trees thereon; regulate the opening of same for laying or placing telegraph or telephone posts, poles, lines and conduits, and gas, water, sewer and underground pipes and mains of all kinds; compel street railways and railroads using or crossing same to raise or lower their tracks to conform to established. or to changed and re-established grades, and to keep their tracks and grade crossings in good repair and level with street surfaces, and to change the location of their tracks thereon; by ordinance establish, and change and re-establish, grades of streets, avenues, alleys, sidewalks and curbs; and to regulate or prohibit the use of streets, avenues, alleys, sidewalks, parks, public grounds, bridges and viaducts of the city for signs, sign posts, sign boards, awnings, awning posts, horse troughs, bill boards, bulletin boards, posting or distributing hand bills or advertisements, exhibiting banners, placards and flags or for the exhibition and sale of goods, wares and merchandise thereon; and to provide for a street department and to appoint necessary employes therefor.

Section 7.—Licenses, Etc.—The council shall have power by ordinance, to prescribe the form and manner of granting and issuing licenses and to license, regulate or prohibit hucksters, peddlers, pawn brokers, keepers of ordinaries, theatrical exhibitions, shows, circuses and other places of amusement, hackmen, cabmen, omnibus drivers, carters, porters, express-

men, and runners, billiard, pool, bagatelle, pigeon-hole and other tables or implements kept and used for similar purposes in places of public resort and pin alleys and ball alleys, auctioneers and transient merchants; and to license and regulate junk stores, junk peddlers and pickers, second-hand stores, and new and second-hand stores combined, the erection and maintenance of sign boards, bill boards and bulletin boards, the distribution of hand bills of all kinds and the posting and placing of signs, bills, cards and banners, and to prohibit dog-fighting, prize-fighting, cock-fighting, the selling and giving away of intoxicating liquors to minors, insane and idiotic persons, habitual drunkards and intoxicated persons, and the running at large of horses, cattle, swine, sheep, goats, geese, chicken and other fowl, and dogs, and to impose a license tax upon dogs; and to authorize the impounding and summary sale of all such animals when found at large.

Section 8.—Occupation Tax.—The council shall have power by ordinance to license, regulate and tax any and all lawful occupations.

Section 9.—Improvements.—The council shall have power in such manner as it shall provide by ordinance:

(a) Sidewalks.—To construct sidewalks, or to provide for and compel the construction thereof, and to repair same when necessary, and to remove wornout sidewalks and to re-construct new in place thereof, and to do the grading incidental to the construction, repair, removal or re-construction of sidewalks; and

(b) Curbing and Guttering.—To establish, define and designate a district or districts in the city and to construct therein curbing, or curbing and guttering combined, and to repair the same when necessary, and to remove wornout curbing, or wornout curbing and guttering combined, and to re-construct new in place thereof, and to do the grading incidental to curbing, or curbing and guttering combined, or to the repair, removal or re-construction thereof; and,

(c) Alley Paving.—To establish, define and designate a district or districts, in the portions of the city where the streets and avenues have been, or may hereafter be paved, and to grade and pave the alleys therein; and

(d) Sewers.—To establish, define and designate a district or districts in the city, or to change a district or districts al-

ready established, and to construct a sewer or sewers therein, and to compel all owners of buildings to connect their premises with sewers heretofore or hereafter constructed; and,

(e) Buildings.—To condemn, tear down and remove unsafe and dangerous buildings; and,

(f) Rubbish.—To remove rubbish and debris of all kinds from lots and tracts of land in the city and from the sidewalk areas in front thereof to the curb line as defined by ordinance and from the alleys in the rear thereof; and to fill up or drain holes and depressions in lots and tracts of land in the city where water accumulates; and,

(g) Weeds.—To cut and remove growing weeds of all kinds from all lots and tracts of land in the city and from the sidewalk areas in front thereof to the curb line as defined by ordinance and from the alleys in the rear thereof once each year; and,

To provide for the payment of any and all such improvements, work and repairs by special assessment upon the lots and tracts of land in the city upon, adjacent to, alongside of, in front of and in the rear of which such improvements are made in proportion to the benefits accruing thereto by reason of such improvements.

All improvements provided for in this section shall be by contract to the lowest responsible bidder.

Section 10.—Assessment of Cost.—The cost of improvements mentioned in the preceding section, together with six per centum for inspection, engineering and other incidentals, shall be assessed by the city in the manner prescribed by ordinance. Such assessments shall be and remain a lien in the several amounts assessed against each lot and tract of land until paid and shall have priority over all other liens except general taxes. If not paid in whole or in part within a reasonable time to be specified by ordinance, such assessments may at any time, after such failure be certified by the council to the County Treasurer for collection, in manner as other taxes are collected, with ten per centum penalty thereon; and all of the laws of the state for the assessment and collection of general taxes including the laws for the sale of property for taxes and the redemption thereof shall apply to and have full effect for the collection of all such assessments.

Section 11.—Paving, Etc.—The council shall have power by

ordinance to establish, define and designate a district or districts in the city and to improve the whole or any part of the streets, avenues and alleys in any such district or districts by grading, paving, surfacing, macadamizing, curbing, guttering or draining and the construction of necessary cross-walks, culverts and sewers, or by any two or more of these improvements. Notice of such ordinance shall be by publication of the ordinance itself three times, a week apart, in a newspaper printed, published and circulated in Pueblo, the last publication to be at least ten days before its final passage; and by one such publication of said ordinance within five days after its final passage. If a protest in writing against said ordinance signed by owners of thirty per centum or more of the frontage to be assessed for such improvement or improvements is filed with the City Clerk within thirty days after its final passage, then such ordinance shall not be effective unless there is filed with the City Clerk within thirty days after the filing of such protest a petition in writing favoring such ordinance signed by owners of a greater per centum of the frontage to be assessed than signed and favor the said protest, in which event such ordinance shall then be and remain thereafter in full force and effect. Such ordinance shall state the improvement or improvements contemplated, the quality and character of the materials to be used therefor, the maximum cost thereof per square yard, or per lineal foot, or per unit, and the method of awarding the contract or contracts therefor; and said ordinance shall also provide for the issuance of district improvement bonds for the payment of such improvement or improvements with the rate of interest thereon and the time or times of payment of principal and interest, and the manner or method of apportioning and assessing the cost of such improvement or improvements upon the property benefited thereby according to benefits resulting therefrom.

Upon the completion of such improvement or improvements the council by ordinance shall assess the whole cost thereof, including six per centum for inspection, engineering, collection and other incidentals, upon the real property in such district or districts and upon the property and franchises in the city of persons, firms and corporations occupying or using any part or parts of such streets, avenues and alleys so improved, as in such district ordinance provided, except as same may be modified by the council acting as a board of equalization and passing upon complaints as hereinafter provided for. Notice of said proposed assessment ordinance shall be by pub-

lication of the proposed ordinance itself three times, a week apart, in a newspaper printed, published and circulated in Pueblo, the last publication to be at least twenty days before its final passage. At any time within twenty days after the first publication of said proposed assessment ordinance and not thereafter any person, firm or corporation to be assessed thereby may file with the City Clerk a written complaint to said proposed assessment ordinance, in so far as it affects his, her or its property, stating therein such grievances and objections as they may have thereto. The council sitting as a board of equalization shall hear and determine all such complaints before the final passage of said proposed assessment ordinance and shall grant such relief as complainant or complainants may be found entitled to in the premises. Said assessments when made shall be and remain a lien in the several amounts assessed against each lot, tract of land, property and franchise until paid and shall have priority over all other liens except general taxes; and such ordinance shall provide the procedure for the collection of said assessments and for the sale of property so assessed in case of default in the payment of the whole or any part of such assessments.

When owners of five per centum of the frontage of contiguous territory equivalent to any ten or more blocks in this city shall file a petition with the City Clerk praying for the creation and improvement, as contemplated in this section, of a district consisting of said ten or more blocks, then the council shall within sixty days thereafter pass such an ordinance.

NOTE.—(This is an amended section—Adopted November 4, 1913.)

Section 12.—Public Works.—The council shall have power within the limits of the city, to construct city and public buildings, including an auditorium, a market place, public playgrounds, bath houses and stations of public comfort, and to purchase, or to condemn and purchase sites for the same when necessary; shall have power to construct bridges, viaducts, levees and sewers, within or without the city, and to purchase or to condemn and purchase necessary land therefor; and shall have power, within and without the territorial limits of the city, to construct, condemn and purchase, purchase, acquire, take-over, lease, add to, maintain, conduct and operate water works, gas works, light plants, power plants, parks, cemeteries, transportation systems, street car and telephone systems, heating plants,

and other public utilities or works or ways local in use and extent, in whole or in part, and everything required therefor, for the use of said city and the inhabitants thereof, and any such system, plants or works or ways, or any contracts in relation or in connection therewith, that may exist, and which the city may desire to acquire or purchase, in whole or in part, the same or any part thereof may by the council be acquired or purchased. The council, in the name of the city, shall have the power to enforce any acquisition or purchase contemplated herein by proceedings at law as in taking land for public use by right of eminent domain. The council shall have the power to issue city bonds upon the vote of the taxpaying electors, at any special or general city election, necessary to carry out any of the powers or purposes mentioned in this section; or, the council shall have power by ordinance to levy a tax from year to year not exceeding three mills per annum upon the taxable property of the city for the accumulation of a fund to carry out any of said powers or purposes without increasing the indebtedness of the city.

Section 13.—Condemnation.—The provisions of Secs. 6589 to 6602, both inclusive, of the Revised Statutes of Colorado of 1908, relating to proceedings to condemn private property for streets, alleys and public parks are hereby made and declared to be in full force and effect in the city until the council shall otherwise by ordinance provide.

Section 14.—Public Libraries.—The council shall have power to provide for the erection and maintenance of public libraries and to make appropriations therefor.

Section 15.—Acquisition.—The council shall have power by ordinance to submit a proposition, or propositions, to the qualified tax-paying electors, or to the qualified electors entitled to vote thereon, of the districts and parts of Pueblo owning, interested in, or vested with and entitled to the use and benefit of any real and personal property, including parks, cemeteries, and water works with all rights thereto belonging, at any general or special city election, providing for the sale and disposition thereof to the city, for the use of its inhabitants and property, upon such terms as to payment therefor by the issuance of bonds or otherwise and upon such other conditions as shall be provided in such ordinance; provided, that such proposition, or propositions, shall not become effective until approved by a majority of the qualified tax-paying

electors, or qualified electors entitled to vote thereon, voting thereon in each district and part of Pueblo affected thereby.

Section 16.—Suits, Property, Etc.—The council, in the name of the city, shall have power to sue and defend and plead and be impleaded in all courts and places and in all matters and proceedings; to use a common seal and alter the same at pleasure; to purchase, receive, hold, enjoy, sell and dispose of real and personal property; to receive gifts, bequests and donations of all kinds of property, in fee simple, or in trust for public, charitable or other purposes; and to sell, manage, lease and otherwise do all acts and things necessary to carry out the purposes and terms of such gifts, bequests and donations.

Section 17.—Intoxicating Liquors.—The council shall have power by ordinance to license and regulate, or to prohibit, the selling and giving away of intoxicating liquors within the limits of Pueblo and within one mile beyond the outer boundaries thereof.

Under license and regulation, the number of places, at which intoxicating liquors are used upon the premises where sold or given away, shall not exceed one hundred in number; the licenses in force when this Charter takes effect shall continue and be renewed, from time to time, unless revoked for cause or surrendered; each license fee shall be $1,000 per annum, payable in equal semi-annual installments in advance; such licenses may be transferred by and with the consent of the council, and the council shall not have the power to refund the fee for any license forfeited or surrendered, except to the heirs of a deceased licensee.

No license shall be granted to an alien, a woman, any person having been convicted of a felony, or to any person, firm or corporation convicted a second time of any violation of a midnight or Sunday closing law or ordinance, or of any law or ordinance prohibiting gambling, the selling or giving away of intoxicating liquor to a minor, an insane or idiotic person, an intoxicated person, or to an habitual drunkard, wine rooms, or the employment or permission of women in or about places where intoxicating liquors are used on the premises where sold or given away, or to any person, firm or corporation having in its employ or associated with it, directly or indirectly, any person who has been convicted a second time of any of the above offences.

Upon the conviction a second time in any court of compe-

tent jurisdiction of any person, firm or corporation, holding a license for selling or giving away intoxicating liquors, of any of the above offences, the court as a part of the judgment shall enter a forfeiture of any such license. The council shall also have power by resolution, when it deems it for the best interest of the city and its inhabitants, to revoke any liquor license for cause. Any license forfeited or surrendered shall be sold by the council, after published notice, to the highest bidder.

Section 18.—Advertising.—The council shall have power to let all advertising by contract at a price not exceeding the legal rate provided by state law.

Section 19.—Water Tax.—It shall be lawful for the council to levy annually an assessment upon each lot or parcel of ground which shall abut on any street, alley, or avenue in said city, through which the distributing pipes of water works of the city or of districts thereof are, or may be laid, so as conveniently to supply said lot or parcel of ground with water, whether water be used upon said lot or parcel of ground or not, which said assessment shall be levied at a uniform rate, according to frontage; provided, that at least ten days notice of such assessment shall be given by one publication in some newspaper published in said city, stating the time at which said assessment will be made, and giving all persons interested therein an opportunity to appear and make objection thereto.

All such assessments and charges shall become and be a continuing lien and charge upon the lots or parcels of ground upon which they are respectively levied, and upon the building or buildings or other improvements situated thereon, if any, and have priority over all other liens except general taxes; and the council shall provide by ordinance for the collection and enforcement of such assessments in manner as provided in this Charter for the collection and enforcement of sidewalk assessments.

Section 20.—General Powers.—The council shall have power to pass all such ordinances as shall be necessary to provide for the safety, preserve the health, promote the prosperity, improve the morals, order, comfort and convenience of the city and its inhabitants and to enforce obedience to such ordinances by fines, penalties, forfeitures and imprisonments as herein provided; and the specific enumeration of powers in this Charter shall never be construed as impairing the general restoration or grant of power of local self government to the city by the Constitution of the State of Colorado.

ARTICLE V.

THE EXECUTIVE DEPARTMENTS.

NOTE.—(Sections 1, 2, 3, 4, 5 and 6 of this Article are modified by the amendment to Section 1 of Article II reducing the number of commissioners from five to three.)

Section 1.—The council at its first regular meeting under this Charter and at the first regular meeting of the incoming council in January, A. D. 1914, and at the first regular meeting of the incoming council in January every two years thereafter shall appoint, by majority vote, one of its members the Commissioner of Public Safety; one, the Commissioner of Finance and Supplies; one, the Commissioner of Highways; one, the Commissioner of Parks, Lighting and Water; and one, the Commissioner of Health, Inspection and Sanitation. The council shall have power, at any time by the affirmative vote of four members, to reappoint the executive departments among its members, but must give notice of its intention so to do by resolution passed by a majority vote and spread upon the journal of its proceedings, at least one week before such reappointment. Each commissioner, subject to the provisions of this Charter and the ordinances of the city and to the orders and regulations of the council, shall have the direct care, control and supervision of his department, and shall be responsible therefor.

PUBLIC SAFETY.

Section 2.—Public Safety.—The Commissioner of Public Safety shall have supervision over the police and fire departments. It shall be his duty to take care that the penal laws of the state and the police and all ordinances of the city, regulating the storage of high inflammables and explosives and providing for fire limits and for protection against fire risks and hazards are enforced. He shall have power to remit fines, penalties, forfeitures and imprisonments imposed for the violation of any provision of this Charter or of any ordinance, and shall report such remissions in writing to the next regular meeting of the council with his reasons therefor. He shall maintain a genral supervision over all persons, firms and corporations furnishing public utilities to the city or to its inhabitants in so far as they are made subject to municipal control under this Charter or by ordinance. He also shall have general supervision of all public affairs not otherwise provided for in this Charter or by ordinance.

FINANCE AND SUPPLIES.

Section 3.—Finance and Supplies.—The Commissioner of Finance and Supplies shall be ex-officio City Treasurer. All license fees and taxes imposed by city ordinances, all special assessments and taxes for public improvements, all fines, penalties and forfeitures for the violation of provisions of this Charter and of ordinances, all money due the city arising from general taxation and coming into the hands of the County Treasurer, all water rentals and collections of the water system or systems of the city, and of districts and parts thereof, all money arising from the sale of products, concessions and privileges of the public parks and cemeteries of the city and of the several parts and districts thereof, all money from the rental and sale of city property and all money of every kind due to the city shall be payable to him; and it shall be his duty to see that all such payments are duly made. He shall also purchase all supplies for the city in manner as provided by this Charter.

HIGHWAYS.

Section 4.—Highways.—The Commissioner of Highways shall have the direct care, control and supervision over all streets, avenues, alleys, bridges, viaducts, levees, sidewalks, cross-walks, curbs and gutters and over all improvements and repairs thereon, including street paving, alley paving, gutter, curb, cross-walk and sidewalk construction, levee construction and repair, and the construction and repair of all city buildings. He also shall have the care and supervision of all real and personal property owned, leased by or controlled by the city, not in the charge of another department.

PARKS, LIGHTING AND WATER.

Section 5.—Parks, Lighting and Water.—The Commissioner of Parks, Lighting and Water shall have the supervision of all of the public parks of the city, of the planting, both by private individuals and by the city, of ornamental and shade trees along public streets, of all city lighting, of the inspection of electrical wiring and apparatus construction, of all heating, power and lighting inspection, of original sewer construction and of the construction, repair and operation of the water system, or systems, of the city.

HEALTH, INSPECTION AND SANITATION.

Section 6.—Health, Inspection and Sanitation.—The Commissioner of Health, Inspection and Sanitation shall see that

all health ordinances and all milk, meat and food inspection ordinances and all sanitation ordinances of the city are enforced. He shall have the supervision of steam boiler and plumbing inspection, of sewer flushing and repair and the supervision and enforcement of all ordinances providing for the regulation and removal of sign boards, bill boards and bulletin boards, for the condemnation and removal of unsafe and dangerous buildings, for the removal of weeds, rubbish and debris, for the abatement of nuisances and for the general cleanliness of the city.

Section 7.—Power to Change.—Each of said commissioners shall have such other duties, rights and powers as may be provided by ordinance, not in conflict with the provisions of this Charter; and the council shall have power by ordinance to change the duties, rights and powers of any commissioner as defined in this Charter when the public service so requires.

Section 8.—Department Employes.—The council shall determine the number of employes in each department, may require any employe in any department to render services in two or more departments and shall make rules and regulations for the proper, efficient and economical conduct of all of the departments of the city.

Section 9.—Supplies.—All supplies shall be purchased in the following manner and not otherwise:

The Commissioner of Finance and Supplies shall advertise annually in December for at least ten days by one publication in a newspaper of general circulation in the city, for bids for furnishing all supplies for the city and for the several departments, parts and districts thereof for the ensuing fiscal year. He shall open the bids received in the presence of the council in January of each year, and they shall then award contracts to furnish such supplies to the lowest responsible bidder, estimating the bids in detail, and awarding to the respective bidders a contract for the articles only whereon the bid is lower than all other bids offered on the same article. The council may reject any and all bids if same are unsatisfactory and direct the Commissioner of Finance and Supplies to re-advertise for bids.

When it becomes necessary during the year to purchase supplies upon which no bids have been received, or when the bids first received are unsatisfactory, the Commissioner of Fi-

nance and Supplies and the council shall award the contract for such supplies to the lowest responsible bidder, on competitive bids, at the time of such purchase.

Written requisition for all supplies as needed shall be made to the council by heads of departments with the approval of the commissioner thereof; and all supplies shall then be purchased by the Commissioner of Finance and Supplies from the persons, firms and corporations to whom contracts have been awarded as aforesaid, on the order of the council. The Commissioner of Finance and Supplies shall have custody of all supplies purchased until delivered for use; shall be responsible therefor; shall keep books of account of all supplies purchased and to whom delivered; and on the third regular meeting of each month, and oftener when required, shall report to the council in writing all supplies purchased during the preceding month, showing therein the quantity, price and whole amount paid therefor and quantity on hand.

ARTICLE VI.

OFFICERS AND EMPLOYES.

Section 1.—Officers and Employes.—The five commissioners, the three members of the Civil Service Commission, City Controller, City Attorney, City Engineer, City Clerk and Judge of the Municipal Court shall be the officers of the city. A City Attorney, a City Engineer and a City Clerk shall be appointed by the council at its first regular meeting under this Charter, or as soon therafter as may be, and at the first regular meeting of the council in January, A. D. 1916, and every four years thereafter and shall hold their offices, unless removed by the council, until their successors are appointed and qualified. Vacancies in these offices shall be filled for the unexpired terms by the council. A City Controller and a Judge of the Municipal Court shall be appointed by the Civil Service Commission as soon as organized under this Charter and on the first day of January, A. D. 1914, and on the first day of January every four years thereafter who shall hold office, unless removed by the Civil Service Commission, until their successors are appointed and qualified. Vacancies in said offices shall be filled by the Civil Service Commission for the unexpired terms. All other persons in the service of the city, or of any commission or board thereof, are hereby declared to be employes.

Section 2.—City Clerk.—The City Clerk shall keep a journal of the council proceedings in which shall appear a record of all ordinances, resolutions and motions of the council, of all expenditures by the city and of all warrants ordered drawn showing the amount and purpose of each and to whom payable, and of all licenses ordered issued by the council, and of all appointments and confirmations made and of all fines, penalties and forfeitures remitted. He shall be the custodian of and keep all of the council records, files and ordinances; shall attend to posting and publishing, within the time required, of all notices, ordinances, statements and other publications required by this Charter, or by ordinance or resolution of the council; shall present to the council all pay-rolls, bills and claims of and against the city, but before so doing shall require their approval in writing by the commissioner of the department in and for which incurred and also an audit thereof by the City Controller; shall draw and issue all licenses; shall attest and affix the seal of the city to all warrants, bonds, coupons, contracts, licenses and other instruments requiring the assent of the city; and shall perform all such other duties, not inconsistent with this Charter, as may be required of him by ordinance, resolution or motion of the council.

Section 3.—The City Controller.—The City Controller shall inspect, examine and control all of the accounts of the city. He may prescribe the form and manner of keeping the books and records of the city and its several departments. He shall have access at all times to all papers, books, files, records and documents in all offices and departments of the city and may require additional reports from any officer or employe of the city relative to expenditures. He shall audit all pay-rolls, bills and claims of and against the city before they are presented to, allowed or ordered paid by the council and he shall make such inquiry and investigation as may be necessary to ascertain that all such pay-rolls, bills and claims are just and proper charges against the city before auditing same. He shall draw, keep a register of and issue all warrants, bonds, coupons and other evidences of indebtedness of the city and shall sign same as city controller, and until so signed by him they shall not be valid. He shall keep a record of all appropriations and expenditures of the city and of all indebtedness, both general and special, of the city and of the several districts and parts thereof; and at the third regular meeting of the council in each month in writing shall report thereto all expenditures and payments by the city for the preceding month and the amount of

unexpended balances in each item of the annual appropriation; and within thirty days after the close of each fiscal year he shall cause to be printed in pamphlet form a detailed statement of the receipts and expenditures of the city during the year preceding and in said statement shall show all of the outstanding indebtedness, general and special, of the city, and of the several districts and parts thereof. He shall furnish copies of this statement to the city library, to the newspapers of the city and to all persons who shall apply therefor at the office of the city clerk.

Section 4.—The City Attorney.—The City Attorney shall be a reputable attorney in practice in Pueblo, a qualified elector, and shall have had at least 5 years experience in General Practice in the State of Colorado. He shall draw all ordinances, contracts and other instruments requested of him by the council, shall be the legal advisor of the council, commissioners and departments; shall conduct all cases in court wherein the city or any department, or part thereof shall be a party plaintiff or defendant, or a party in interest, and in connection therewith shall as city attorney sign and execute all pleadings, bonds and affidavits on behalf of the city; shall attend all meetings of the council, regular or special, and shall perform all such other duties as are required of him by motion, resolution or ordinance of the council.

Section 5.—The City Engineer.—The City Engineer shall have charge of the engineering department. Such assistants, inspectors and employes as shall be provided by ordinance, shall be appointed for such department by the council under the rules and regulations of the Civil Service Commission. The city engineer shall prepare all plans, specifications and estimates and shall perform all surveying and engineering work of the city that is required of him by resolution or ordinance of the council. He shall supervise the inspection and shall issue all permits for building, sewer and sidewalk construction and repair. All plans, maps, notes, surveys, books, papers and documents of the engineering department shall be preserved in the office of the city engineer and shall be open to inspection by any citizen at reasonable hours.

Section 6.—Salaries.—Each commissioner shall be paid a salary of $2400 per annum; the Judge of the Municipal Court $900 and the City Controller $2100 per annum.

The council shall on or before January 1, 1912, pass an

ordinance fixing the terms of office and the salaries of all officers and employes of the city, whose terms and salaries are not fixed by this Charter. All apointments made prior to the passage of such ordinances shall be temporary, effective only until such ordinance shall be passed. The council may fix by resolution the compensation of officers and employes appointed and employed prior to the passage of said ordinance.

The compensation of no officer or employe shall be increased directly or indirectly during the term for which he shall have been elected or appointed; provided, that the council may, not oftener than once in four years, by ordinance, increase, diminish or re-adjust the compensation of officers or employes included within the classified Civil Service list.

No officer or employe of the city shall receive any compensation whatever in relation to the performance of his duties as such from any other source than the city; and from the city, shall receive no compensation whatever other than his salary.

All fees, licenses or payments of any kind or character received or collected by or paid to any officer of the city for or on account of any service rendered or work performed by him in his capacity as an officer or employe of the city, or pursuant to any power or authority conferred upon him as such city officer or employe by any provision of this Charter or the laws of the State of Colorado or any ordinance, resolution or motion of the council or by authority of any other officer or employe of the city, shall be paid to the treasurer for the use and benefit of the city, except rewards paid by non-residents for the apprehension of criminals.

Section 7.—Bonds.—The commissioners shall give bond in the sum of $10,000 each; the Commissioner of Finance and Supplies as treasurer, $200,000 additional; the city controller, $20,000; the city clerk, $5,000; the city engineer, $3,000; the city attorney, $1,000, and the judge of the municipal court, $1,000; conditioned that each of said officers shall well and faithfully perform all of the duties of his office and shall account for and turn over all money, property and books of the city coming into his hands; provided that such bonds, except of the commissioners, may be changed by ordinance. Employes shall furnish such bond as shall be fixed by ordinance. The premium on all bonds shall be paid by the city.

Section 8.—Passes Prohibited.—No officer or employe, except as authorized in this Charter, shall receive or use, directly or indirectly, any express, sleeping car, railroad, street car, telegraph or telephone pass or frank; nor any free service or gratuity from any person, firm or corporation holding or seeking any franchise, lease or contract from or under the city. A violation of this section shall be cause for removal from office.

Section 9.—Attend to Duties.—All persons holding any office or employment under the city, whether elective or appointive, shall be required to engage in the actual work of the office or employment so held, to the extent that their services may be necessary for the full and complete discharge of the duties of such office or employment, and a failure so to do shall be ground for removal.

ARTICLE VII.

CIVIL SERVICE.

Section 1.—The Commissioners.—There is hereby created a civil service commission of three members, who shall be elected as provided in this Charter and who shall be paid $5 per day for actual service, for not to exceed thirty days in any one year. No civil service commissioner shall hold any other elective or appointive office under the national, state, county, or city governments. The commissioner having the shortest time to serve, not holding his office by appointment or election to fill a vacancy, shall be president of the board. The city controller shall be ex-officio clerk to the commissioners, and the council shall furnish a suitable room for their use.

Section 2.—Rules and Examination.—The civil service commission shall hold at least two public, competitive examinations of applicants for positions in the classified civil service of Pueblo each year, on the first Mondays in February and August, and such other examinations necessary to provide lists of eligible applicants, and shall make rules governing examinations and prescribing the qualifications required in the different departments of the civil service, as to health, fitness, experience, physical conditon, and manual, clerical and professional skill, and, subject to the approval of the council, may publish same in pamphlet form. They shall keep a record of all their proceedings and shall certify to the council, after each examination, a full and complete list of all applicants, with their credits for admission, so revised after each examination, that

the applicant holding the highest credits shall be at the head of the list and the others in the order of their credits. They shall furnish the council with separate lists for each class of service and shall issue a certificate to each applicant showing his standing. The commissioners shall report to the council after each semi-annual examination such recommendations as they deem proper and from time to time, may require reports from the council of appointments made. They shall give ten days public notice of all examinations.

The Civil Service Commission shall appoint all judges and registrars of election, as elsewhere provided for in this Charter.

Section 3.—Examinations Competitive.—All examinations shall be competitive and practical, as to fitness for service in each particular class, and the commission shall, both in examinations and reports, separate the different qualifications upon which the applicant is to be or has been examined. Due credit shall always be given for experience in the line in which employment is sought. All examination papers, the markings thereof, and all papers and communications in connection therewith shall be kept on file for a period of two years and shall be public records and accessible at all convenient times.

Section 4.—Duty of Applicants.—Applicants for positions in the classified civil service of the city shall not divulge directly or indirectly, or have disclosed, through any other person to the Civil Service Commission or to the Council, their politics or religion, or have on file any recommendation, other than references as to character filed with the Civil Service Commission; and no discrimination shall be made by said Commission, or Council, on account of religion or political affiliations or endorsements. Every applicant for a position in the classified civil service shall be a qualified elector, and shall have been a resident of Pueblo at least two years immediately preceding his examination; all certificates issued as a result of such examination, shall hold good for the period of two years and no longer.

Section 5.—Examination for Advancement.—Any appointee under the classified civil service may take an examination for advancement; and, to assist the commission in passing thereon, proper records shall be kept in the classified civil service, showing the competency and efficiency of the appointees therein; and any appointee shall have the right to know from time to time his standing. The council may reduce in rank any appointee who has failed to give satisfaction.

Section 6.—No Advancement Except from Lists.—The council shall make no appointment or advancement in any department in which there is a classified civil service list except from the list of those eligible as certified by the Civil Service Commission; and in making appointments preference shall always be given to those who are applicants for advancement, if they are qualified and their advancement is justified by their record of service. All appointments shall be for and during good behavior and ability to perform the duties. In case there is no eligible list available at the time it becomes necessary to make an appointment, the council may make a temporary appointment for not to exceed thirty days and shall immediately certify such fact to the Civil Service Commission. The commission shall thereupon hold a public examination at once and furnish an eligible list.

Section 7.—Participation in Politics.—All appointees and persons in the classified civil service are forbidden to take part in political conventions, directly or indirectly, or in the selection of candidates or delegates in primaries or otherwise. Except to vote, all such appointees are forbidden to participate directly or indirectly in any election, or to contribute directly or indirectly to any campaign fund, or to pay or promise to pay, or solicit any fund, money, property, emolument, appointment or position, in any election, nomination, primary or convention. A violation hereof shall be good and sufficient cause for suspension or dismissal from the service by the council; and in addition, any person violating any provision of this section shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not less than Fifty Dollars nor more than Three Hundred Dollars for each separate offense, and shall be debarred from holding any elective or appointive office or employment under the city government for two years thereafter.

Section 8.—Soliciting Contributions.—Any person who shall solicit any member of the Civil Service Commission, of the Council, or any appointee or employe of the city for a contribution of money or other valuable thing, or the promise thereof, in aid of any political party or the candidacy of any person, or who shall solicit any promise of appointment, advancement or recommendation of any person for appointment, shall be guilty of a misdemeanor and upon conviction thereof fined in a sum not less than Fifty nor more than Three Hundred Dollars for each separate offense, and shall be debarred

from holding any appointive or elective office or employment under the city government for two years thereafter.

Section 9.—Suspension of Officers and Employees.—Any officer, superintendent or foreman shall have authority to suspend for cause any appointee working under him, for not more than forty-eight hours. If the commissioner of that department shall approve such suspension, he shall immediately certify the same or any additional suspension or dismissal he may recommend, to the council with his reasons therefor. If the same is approved by the council, such suspension or dismissal shall be final, provided, that any appointee in the civil service before being dismissed shall be given due notice of the charges and a hearing. At such hearing the council shall have power to compel the attendance of witnesses and the production of books and papers necessary to the proper investigation of the charges under consideration.

Section 10.—Departments Retained.—The members of the present fire and police departments and the city electrician shall not be required to pass any examination and shall be by the adoption of this Charter appointed to the places now occupied by them the same as if they had passed proper examination, subject to the six motnhs probationary period provided for in section eleven.

The first superintendent of parks shall be selected from the persons acting as superintendents of the three park districts at the time this Charter goes into effect; provided, that the board of Civil Service Commissioners shall only certify to the Council the names of such superintendents as shall have passed a proper civil service examination covering the duties of park superintendent.

Section 11.—Selecting Appointees.—In making an appointment from an eligible list the commissioner of the department in which the appointment is to be made, by and with the consent of the Council, shall designate a person from among the three highest in percentage, and such appointment shall not become final until the apointee shall have served for six months, during which period the appointment shall be probationary. If the appointee is not then rejected, the appointment shall become permanent. The time of service of extra or supply men shall not be counted as any part of the probationary period herein provided for.

Section 12.—Classified Lists.—In the classified civil service

the police department in the following order of rank shall be included, to-wit:

Chief of Police, Captains, Sergeants (including detective sergeants), Patrolmen (including jailers and chauffeurs).

The fire department in the following order of rank, to-wit: Chief, Assistant Chief, Captains, Lieutenants, Engineers and assistants, Firemen, including drivers, plugmen and truckmen; the city electrician, linemen.

The Park Department in the following order of rank: Superintendent, Foreman, Animal Keepers, Gardeners, Foresters, Agriculturists and Park Police.

The Engineering Department, except the City Engineer.

The City Physician and Inspectors in the Health Department, the entire water works department, except day laborers, and the clerical force of all departments, in so far as found practicable by the Civil Service Commission.

The Council from time to time may include other departments and divisions of service in the classified civil service, and after being once included therein shall always remain in the classified civil service.

Section 13—City Controller.—The board of Civil Service Commissioners, by a majority vote of all the members thereof, shall appoint a City Controller. He may be removed for incompetence or misfeasance in office by a unanimous vote of the Civil Service Commission.

ARTICLE VIII.

THE JUDICIAL DEPARTMENT

Section 1.—A Municipal Court.—There is hereby created a Municipal Court vested with exclusive original jurisdiction of all causes arising under the charter and ordinances of Pueblo, for violations thereof. The judge of the Municipal Court shall be an attorney at law admitted in Colorado. Sessions of said court shall be held daily, except Sundays and legal holidays. There shall be no change of venue therefrom. In case of temporary absence, sickness or other inability of the judge of the Municipal court to act the Commissioner of Public Safety shall appoint a competent person to act in his place until such disability is removed.

Section 2.—Judgments and Procedure.—No fine, penalty, forfeiture or imprisonment imposed by the Municipal court shall exceed three hundred dollars or ninety days in jail for any one offense. The defendant shall stand committed to the city jail until same is satisfied in full. The Municipal court shall have authority to make and enter an order committing any defendant upon whom any fine, penalty, forfeiture or imprisonment has been imposed on appeal, to the city jail until same is satisfied in full, upon a certified copy thereof being filed therein. Any person committed to the city jail shall work for the city, within or without such jail, not exceeding eight hours each day and shall be allowed therefor, exclusive of board, on account of any fine, penalty or forfeiture imposed, the sum of two dollars per day. No court or officers costs shall be taxed and no witness fees allowed in the Municipal court.

Section 3.—Actions, How Begun.—All actions in the Municipal court shall be in the corporate name of the city as plaintiff. It shall be sufficient in a complaint for the violation of any provision of this charter or of any ordinance to state the number of the section and article of the charter violated, or the number of the section and the title, number and date of passage of the ordinance violated, and briefly the offense committed. Upon a complaint being filed in the Municipal court the judge shall issue a summons or a warrant, for the defendant. All process shall run in the name of the people of the state of Colorado and shall be signed and attested by the judge of the Municipal court and may be served by any police officer of the city by arresting the defendant when a warrant has been issued and bringing him into the Municipal court for trial; or by summoning the defendant into court, when a summons has been issued. All police officers of the city shall have authority and it shall be their duty to arrest, without warrant, all persons whom they see violating any provision of this charter or any city ordinance and to conduct them without unnecessary delay, before the Municipal court. The judge of the Municipal court and the commissioner of public safety may admit defendants to bail pending trial.

Section 4.—Judgments, How Satisfied.—The judge of the Municipal court shall not impose any fine, penalty, forfeiture or imprisonment upon any person, firm or corporation for the violation of any provision of this charter or of any ordinance, upon default, plea of guilty, or trial without the case being called in open court and proof of the offense charged being sub-

mitted, and no fine, penalty or forfeiture imposed in the Municipal court shall be paid to the judge or to any detective, policeman, officer or employee of the city other than the city treasurer or his clerk at the office of the city treasurer and not elsewhere. The judge of the Municipal court shall keep a permanent book in which all cases filed in his court shall be recorded and indexed and in which shall be entered the disposition of every case. This book shall be a public record open to inspection of any citizen at reasonable hours. After the close of each session of the Municipal court the judge thereof shall file with the city treasurer a statement of all fines, penalties, forfeitures and imprisonments imposed by him. It shall be the duty of the council to remove any officer or employe of the city for a violation of this section.

Section 5.—Rules.—The judge of the Municipal court shall have authority to make and adopt rules and regulations for the conduct of the business of the court; and shall have all powers incident to a court of record in compelling the attendance of witnesses, and in punishing contempts, and in enforcing all orders of the court; provided, however, that no imprisonment for contempt shall exceed five days, and no fine for such cause shall exceed one hundred dollars.

Section 6.—Appeals.—Appeals may be taken from all judgments of the Municipal court to the County Court of Pueblo County, where the case shall be tried de novo, but no appeal shall be allowed unless the party appealing shall within five days execute a bond to the city in double the amount of the judgment, with good surety to be approved by the judge of the Municipal court, conditioned that if the appeal is dismissed or judgment rendered against him in the court to which appeal is taken, he will pay such judgment or surrender himself to the city in satisfaction thereof; and shall, within ten days from the rendition of the judgment in the Municipal court, pay to the County Court the fee required by the rules of said court for docketing said cause. Upon the execution of such bond and payment of such costs, the judgment of the Municipal court shall be superseded, and the original papers, together with a transcript of the record, shall be certified by the judge of the Municipal court to the court to which the appeal is taken. Action may be maintained upon such appeal bond in the name of the city for the amount of the judgment and costs of the appellate court or of the Municipal court if the appeal is dismissed.

ARTICLE IX.

FINANCE AND TAXATION

Section 1.—Fiscal Year.—The fiscal year shall commence at noon on the first day of each January.

Section 2.—Tax Levy, How Made.—The council shall have power to levy by ordinance an annual tax upon all of the taxable property within the limits of Pueblo and upon all of the taxable property of the several parts, water districts and park districts thereof to provide funds for the general expenses of the city and for the payment of interest on the outstanding debts of the city and of the several parts, water districts and park districts thereof and for the payment of the principal of such debts or for the creation of sinking funds for the purpose of making such payments; provided, that all taxes levied shall be levied in the manner following, and not otherwise:

a.—On and after January 1, 1914, a tax of not less than one-quarter of one mill and not more than one mill shall be levied upon all taxable personal property within the limits of the city and upon all the taxable personal property within the several parts, water districts and park districts thereof.

b.—Real estate improvements and all improvements in or upon land shall, on and after January 1, 1914, be exempt from all taxation for municipal purposes to the extent of fifty per cent or one half of its present assessed value; and all such property shall, on and after January 1, 1915, be exempt from all taxation for municipal purposes to the extent of ninety-nine per cent of its value.

c.—Land, exclusive of all improvements in or upon it; and the Franchises of all Public Service Corporations, and all other rights of way and Franchises in the public streets and alleys shall never be exempt from taxation for municipal purposes.

d.—Nothing in this amendment shall be construed to abolish or to reduce, or in any way to effect the taxes and licenses levied upon saloons, or dealers in, or dispensers of liquors, as such, nor shall anything herein be construed to affect the collection of taxes heretofore levied and now unpaid.

e.—Nothing in this amendment shall be construed as imposing a tax upon property used exclusively for purely educa-

tional or religious purposes, or upon such other property as may now by law be exempt from taxation.

f.—Anything in the Charter of Pueblo in conflict with, or inconsistent with the provisions of this amendment, is hereby repealed.

NOTE.—(This is an amended section. Adopted November 4, 1913.)

Section 3.—Tax Levy, When Made.—The ordinance making the tax levy shall be introduced in the council on or before the first Monday of October of each year, and shall be finally passed by the council on or before the first Monday of November of each year; provided that the tax ley for the year 1911 may be made by resolution. The present city council of Pueblo shall not make or certify a tax levy for the year 1911, but such levy shall be made and certified by the council to be elected under the provisions of this charter. The levy so made shall be for the purpose of defraying the necessary expenses of the city for the next fiscal year. Such ordinance shall be published once after final passage and shall be in force and effect immediately after said publication.

Section 4.—Tax Levy, How Certified.—After the publication of the annual tax levy ordinance the City Clerk shall at once prepare and deliver a certified copy thereof to the County Assessor of Pueblo County who shall cause said tax levy to be entered upon the tax list and assessment rolls in his office and shall include such taxes in his warrant to the County Treasurer. Said taxes for city purposes shall be levied, assessed and collected in the same manner as shall be provided by law for the levy, assessment and collection of other taxes except in so far as may be otherwise provided in this charter.

Section 5.—Failure to Make Levy.—If the council fail in any year to make the tax levy as above provided then the rate fixed for the preceding year shall be the rate fixed for the ensuing year and the County Assessor and County Treasurer shall proceed in all respects in the same manner as if an ordinance had been duly passed and certified fixing such rate.

Section 6.—Annual Appropriation.—The council shall on or before the 31st day of December pass an ordinance to be termed "Annual Appropriation Ordinance" and in such ordinance the council shall appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses

and liabilities of every kind and character to be paid for or incurred during the next fiscal year and such ordinance shall classify and specify the objects and purposes for which such appropriations are made. The several sums appropriated for each department of the city and for each object or purpose shall be separately set forth. No further appropriation shall be made at any time for the expenses of such fiscal year No appropriation made for one object or purpose, nor the funds set apart for such object or purpose by such appropriation ordinance shall be changed or transferred to any other object, purpose or fund. All moneys appropriated by such ordinance which shall not have been used or expended for the purpose or object for which appropriated and all moneys collected but not appropriated shall be transferred at the end of such fiscal year to a Special Redemption fund and used solely for the payment of the principal of the outstanding indebtedness of the city.

The appropriation for the fiscal year of 1912 may be made by resolution. The city council in office at the time of the adoption of this charter shall not have power to pass or adopt an ordinance or resolution fixing the appropriations for the year 1912, but such appropriations shall be made by the council to be elected under the provisions of this charter.

The total amount appropriated in any appropriation ordinance shall not exceed the probable revenue which will be collected and applicable to the payment of expenses of the ensuing fiscal year. The total estimated revenue for such period shall be set forth in the appropriation ordinance with the several sources thereof. In estimating the total revenue the council shall not include a greater sum to be derived from other sources besides taxation than 90 per cent. of the amount actually received from other sources during the current fiscal year and shall not include more than 95 per cent of the total amount which the city would receive if the full amount levied by the tax levy ordinance were collected upon the total assessed value of the taxable property within the city.

Section 7.—Outlays Not Exceed Appropriation.—Neither the council nor any officer or employe of the city shall add to the city expenditures for any purpose during any fiscal year anything over and above the amount provided for such purpose in the annual appropriation ordinance; provided that the council may in the event of damage or danger from fire, flood or pestilence which could not have been anticipated at

the time of making the annual appropriations make such emergency expenditures as shall be rendered necessary by reason thereof, but no such expenditure shall be made unless authorized by a vote of at least four members of the council, nor until a certificate shall be filed with the city clerk by at least two members of the civil service commission, certifying to the existence and character of such emergency and specifying the amount to be expended, and such expenditure shall not exceed the amount so specified. A special appropriation shall be included in the next annual appropriation ordinance for the payment of all the expenses so incurred. No expenditure shall exceed and no contract shall bind the city in excess of the amount appropriated for such purpose during the fiscal year in which such expenditure is made or such contract entered into, except as otherwise provided in this charter. The making of any contract requiring an expenditure by the city shall from the date of its execution be considered an expenditure of the sum required to be paid thereunder, and so much of said appropriation as may be required under such contract shall be held and retained therein until payment shall become due under such contract.

Any officer or employe of the city authorizing the expenditure or executing any contract involving the expenditure of any sum for any purpose in excess of the sum provided for such purpose in the annual appropriation ordinance, or signing, countersigning, issuing, paying or redeeming any warrant, bond or contract for any expenditure in excess of the amount appropriated in the appropriation ordinance shall be personally liable to the city for such sum, and such liability shall extend to the sureties on his official bond.

Section 8.—Contracts Limited.—No contract for light, water, heat, power or for services of any kind to be rendered or supplies to be furnished to the city or to any officer, employe, or department of the city, and no contract of any kind or character, except bonds or franchises or contracts for the construction or acquisition of public buildings or works which have been authorized by a vote of the electors of the city as provided by this charter, shall be made or entered into by or on behalf of the city which is not by its terms to be fully performed within three months after the January first following the next general city election.

Section 9.—Warrants, How Issued.—The treasurer shall keep a separate account of each fund or appropriation. Every

warrant issued shall designate the fund or appropriation upon which it is drawn, and the fiscal year for which such fund or appropriation is created and such warrant shall be payable only out of that fund or appropriation. Every warrant before being issued shall be registered with the treasurer who shall keep a record of the date, number and amount of such warrant and charge the same against the fund upon which it is drawn. No warrant shall be signed or issued for an amount in excess of the balance remaining to the credit of the fund upon which it is drawn and any such warrant signed or issued in violation of this provision shall be void. Any officer who shall sign, countersign, issue, or pay any warrant for an amount in excess of the balance remaining to the credit of the fund upon which it is drawn shall be liable to the city for the amount of such warrant with interest at six per cent per annum from the date of such warrant.

Section 10.—Accounts Separate.—The appropriations for each fiscal year shall be kept separate and apart from the appropriations for the same or other purposes of other years. No warrant drawn upon any fund shall be paid out of the appropriation for a similar purpose for a year other than that for which it was drawn.

Section 11.—Indebtedness Limited.—The indebtedness of the city shall be incurred and limited as provided in Article XI of the constitution of the State of Colorado.

Section 12.—Interest.—Interest accruing on all valid warrants issued by Pueblo, prior to January 1, A. D. 1912, shall be paid semi-annually on the first days of April and October of each year.

Section 13.—Refunding.—The several park and water districts contained within the limits of Pueblo shall have power to refund their outstanding bonded debts. The council shall have power to prescribe by ordinance the manner of issuing such refunding bonds, and to submit the question of issuing such bonds at either general or special elections; provided, that no such refunding bonds shall be issued until they shall have been authorized by a vote of a majority of the qualified tax paying electors of such district voting thereon at such election. In submitting such question the amount of such bonds to be issued, the rate of interest to be paid, and the term for which such bonds are to run, shall be specified, and also a minimum price, below which such bonds shall not be sold.

ARTICLE X.

FRANCHISES AND PUBLIC UTILITIES

Section 1.—Franchise Granted Upon Vote.—No franchise shall be granted except upon the vote of the qualified tax-paying electors and the question of its being granted shall be submitted to such vote by ordinance upon deposit with the treasurer of the expense (to be determined by the treasurer) of such submission by the applicant for said franchise. No exclusive franchise shall ever be granted.

Section 2.—Specify Streets.—All franchises hereafter granted to street or other railroads, and to transportation systems, shall plainly specify the particular streets, alleys, avenues and other public property, or parts thereof, to which they shall apply. All other franchises may be in general terms and apply to the city generally.

Section 3.—Regulate Rates and Fares.—The council shall have power by ordinance to fix and regulate rates, fares and charges by public utility corporations and to change the same every five years; provided that rates, fares or charges shall not be changed without examination by competent inspectors and the council shall have power to inspect the books and affairs of any public utility corporation as a part of such examination. The right to regulate shall include the right to require uniform, convenient and adequate service to the public, reasonable extensions of such service and of such public utility works and the issuance of transfers without extra charge by all street railway companies good upon the lines of all other street railway companies crossing or connecting with the lines of said companies.

Section 4.—License Tax.—The council shall have power to license the business in Pueblo of life and fire insurance companies; to license street cars, telephones, slot telephones, gas meters, electric meters, water meters and other similar devices for measuring service, operated in Pueblo; and telephone, telegraph, electric light and power poles, subways and wires operated in Pueblo. The said license shall be in addition to all other lawful taxes upon the property of the holders thereof.

Section 5.—Especial Privileges.—Every franchise for a street, suburban or interburban railroad shall provide that all policemen and firemen in uniform shall be allowed to ride

on the cars in the city without paying therefor, with all the rights of other passengers.

Section 6.—Elevate or Lower Tracks, Etc.—The council shall have power by ordinance when necessary, to require any railroad company, at its own expense, to elevate or lower any of its tracks running over, along or across any street, avenue or alley of the city, and to require any railroad company or companies, at its or their own expense, to construct bridges or viaducts, with proper approaches and other conveniences thereto, upon any street, avenue or alley of the city and over and across its or their track or tracks.

Section 7.—Provide for Safety, Etc.—Every franchise shall be subject to the right of the council to make police and all necessary regulations for the safety, welfare and accommodation of the public.

Street and other railroad franchises shall be subject to the right of the council to construct sewer, water and gas mains and pipes and wire conduits under and along their tracks.

The council shall have power to require overhead wires to be placed underground.

Section 8.—Revocable Licenses.—The council shall have power by ordinance to grant a license, revocable for good cause shown, to any railroad company, manufacturer or merchant, to lay side tracks and switches along or across any street, avenue or alley in the city, when the application therefor is accompanied by the assent in writing of the owners of two-thirds of the frontage on each side of any street, avenue or alley, or parts thereof, on which it is desired to lay same.

Section 9.—Common Use.—Every franchise granted to a street railway company shall provide that the tracks of said company constructed thereunder shall be subject to common use by an interurban electric railway company desiring to come into the city, its grantee or assignee, whenever it shall be necessary therefor, upon payment of such proper compensation as may be agreed upon between the parties or upon their failure to so agree, as may be fixd by a court of competent jurisdiction.

Section 10.—Books of Record.—The council shall cause to be kept in the office of the city clerk an indexed Franchise Record, in which shall be transcribed copies of all public

utility franchises heretofore or hereafter granted. The index shall give the name of the grantee and his assignees. The Record shall be a complete history of all such franchises and shall include a comprehensive and convenient reference to all actions at law affecting the same, and copies of all annual and inspection reports and such other matters of information and public interest as the council may from time to time acquire.

Section 11.—Term-Compensation-Restriction.—No franchise shall be granted for a longer period than twenty-five years nor without reserving to the city such fair percentage of the gross receipts arising from the use thereof as shall be fixed in the grant of said franchise. This compensation shall not exempt the grantee, or his or its assignees, from any lawful taxation upon his or its property, but shall exempt the grantee or his or its assigns from the payment of any licenses, charges or any other impositions levied by the city. The percentage of gross receipts shall be paid annually and a failure to pay such percentage shall work a forfeiture of the franchise.

Section 12.—Revocable Permits.—The council shall have power to grant permits in or upon any street, avenue, alley or public place for temporary purposes; provided, such permits may be revoked by the council at its pleasure.

Section 13.—Extensions and Enlargements.—All extensions or enlargements of an existing franchise shall provide that all of the terms and conditions of this charter shall apply to and become a part of the original franchise. No such extension or enlargement shall extend beyond the life of the original franchise or become effective until the owner or holder of the original franchise shall sign and file with the city clerk an acceptance of the same subject to the conditions of this charter.

Section 14.—Definition.—The term public utility or public utility corporation, when used in this charter shall mean any person, firm, or corporation operating gas or electric light works, telephone or telegraph systems, water or heating plants, or underground, surface or elevated street railways, and serving or supply the public for hire; and shall not include any person, firm or corporation, owning or operating side tracks or switches for the accommodation of manufacturing plants and business houses, or private telephone lines.

ARTICLE XI.

RECALL OF ELECTIVE OFFICERS

Section 1.—Petition for Recall.—Any elective officer may be recalled by the qualified electors of Pueblo. The procedure to effect such removal shall be as follows:

A petition signed by qualified registered electors, equal in number to at least forty per centum of the vote cast for the officer sought to be removed, demanding an election for the recall of such incumbent and for the election of his successor shall be addressed to the council and filed with the city clerk. The petition shall contain a specific statement in not more than five hundred words of the grounds upon which removal is sought. The signatures to the petition need not all be appended to one paper, but every signer shall add to his signature his place of residence, naming the street and number. One of the signers of each such paper shall make affidavit before an officer competent to administer oaths, that the statements made therein are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Said affidavit as to the charges may be on information and belief. All papers composing said petition shall be filed as one instrument with an endorsement thereon of the names and addresses of three persons designated as filing the same; provided, that before any petition for a recall is circulated an affidavit of not more than five hundred words shall be made by one or more qualified electors, stating the name of the officer sought to be removed and the grounds upon which the removal is sought, and filed with the city clerk. Said affidavit may be on information and belief. The officer sought to be removed may file with the city clerk an affidavit of not more than five hundred words in reply or by way of defense to said charges. The council shall provide blank forms for such petitions.

Section 2.—Filing Petition.—Within ten days from the filing of said petition the city clerk shall ascertain whether the petition is signed by the requisite number of qualified registered electors, and shall attach thereto his certificate showing the result of such examination.

If the petition be insufficient he shall forthwith in writing notify one or more of the persons designated on the petition as filing the same. The petition then may be amended within ten days from the filing of the certificate. The city clerk, within

five days after such amendment, shall make like examination of the amended petition and attach thereto his certicate of the result. If still insufficient he shall return the petition to one of the persons designated thereon as filing it, without prejudice to the filing of a new petition for the same purpose.

No recall petition shall be filed against any officer until he has actually held his office for at least four months.

Section 3.—Calling Election.—If the petition or amended petition is found sufficient the city clerk shall submit the same with his certificate to the council without delay and the council, if the officer sought to be removed does not resign within five days thereafter, shall order an election to be held on a Tuesday, fixed by it, not less than thirty nor more than forty days from the date of the city clerk's certificate that a sufficient petition is filed; provided, that if any city election is to occur within sixty days from the date of the city clerk's certificate, the council shall postpone the holding of the removal election to the date of such other city election; provided further, that no recall election shall be ordered by the council during the period of ninety days immediately preceding the expiration of the term of office of the officer sought to be removed.

If a vacancy occur in said office after a recall election has been ordered the election to fill the vacancy shall nevertheless proceed as in this article provided.

Section 4.—Form of Ballot.—The ballot used at a recall election shall be in form substantially as follows:

Shall (insert name of officer sought to be recalled) be removed from the office of (insert the name of his office) by recall.	..... :Yes ..... :No.....

The electors desiring to vote for the recall shall place a cross (X) in ink in the square opposite the word "yes" and those desiring to vote against the recall shall place a cross (X) in ink in the square opposite the word "no." If a majority of those voting on the question of recall shall vote "yes" then the officer sought to be removed shall thereby be recalled, but if a majority of those voting on the question

shall vote "no" then the officer sought to be removed shall not be recalled.

(Name of Candidates to Succeed) followed by the instructions to voters given in Section 5 of the Article on Elections.

Section 5.—Officer Recalled.—If the officer be recalled the candidate for succession receiving the highest number of votes at said election as provided in Article XIII, shall be declared elected and become the successor of the officer removed.

The incumbent shall continue to perform the duties of his office until the recall election. If not then recalled he shall continue in office as if no recall election had been held; but if at said election he is recalled he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term subject to recall. If the successor fails to qualify within thirty days from the commencement of his term the incumbent shall thereupon be deemed removed and the office vacant.

Section 6.—Nominations.—Any one desiring to become a candidate at the recall election to succeed the officer sought to be removed may do so by petition as required in the article on Elections; provided, he must have at least one hundred names on said petition, which, if presented to the city clerk at least twenty days before said election, shall entitle him to have his name placed on the ballot.

The officer sought to be recalled shall not be a candidate to succeed himself.

Section 7.—Disqualification.—No person who has been recalled or who has resigned while recall proceedings were pending against him shall be appointed or elected to any office within two years after such removal or resignation.

ARTICLE XII.

INITIATIVE AND REFERENDUM

Section 1.—The Initiative.—Any proposed ordinance may be submitted to the council by petition signed by qualified electors of the city equal in number to the percentage hereinafter required.

Section 2.—Submission.—If the petition accompanying the proposed ordinance is signed by qualified electors equal in

number to fifteen per centum of the total vote cast at the last general city election, and requests that such proposed ordinance be submitted to a vote of the people, the council shall, either

Pass said ordinance within thirty days without alterations, subject to the referendum, or

Call a special election, unless a general or special city election is to occur within ninety days thereafter, and at such special or general election submit said proposed ordinance to a vote of the qualified electors of the city.

If the petition is signed by qualified electors in number equal to at least five per centum of the total vote cast at the last general city election, and is filed with the city clerk at least sixty days before any general city election, the council shall pass said proposed ordinance without alteration within thirty days, or shall submit same to a vote of the qualified electors at the next general city election.

An initiated ordinance shall be published in like manner as other proposed ordinances. The ballot upon which such proposed ordinance is submitted shall state briefly its nature and shall contain the words: "For the Ordinance" and "Against the Ordinance." If a majority of the qualified electors voting thereon, shall vote in favor thereof, the same shall thereupon without further publication become an ordinance of the city.

Any number of proposed ordinances may be submitted at the same election. Not more than one special election under this article shall be held in any twelve months. Special elections during said peoriod held under other articles of this charter shall not be counted.

Section 3.—The Referendum.—The referendum shall apply to all ordinances passed by the council, except ordinances making the tax levy, the annual appropriation or ordering improvements initiated by petition and to be paid for by special assessments. If at any time within thirty days after the final passage of any ordinance to which the referendum is applicable, a petition signed by qualified electors equal in number to at least ten per centum of the total vote cast at the last general city election, be presented to the council, protesting against the going into effect of any ordinance, the same shall thereupon be suspended, and the council shall

reconsider such ordinance, and if the same be not entirely repealed, shall submit the same to a vote of the qualified electors of the city, in manner as provided in respect to the Initiative, at the next general city election or at a special election called therefor. Such ordinance shall then go into effect if a majority of the qualified electors voting thereon vote in favor thereof, without further publication. The council, of its own motion, shall have power to submit, at a general or special election, any proposed ordinance to a vote of the people, in manner as in this charter provided. If provisions of two or more proposed ordinances adopted or approved at the same election conflict, the ordinance receiving the highest affirmative vote shall become effective.

Section 4.—Procedure.—The procedure respecting initiative and referendum petitions shall be substantially as provided in the article of this charter on recall, with such modifications as the nature of the case requires, except that no blank forms shall be furnished or preliminary affidavits required.

Section 5.—Amendment.—An ordinance adopted by electoral vote, under either the initiative or referendum, cannot be repealed or amended except by electoral vote; but the council shall have power to submit a proposition without a petition therefor for the repeal or amendment of any such ordinance.

Section 6.—Further Ordinances.—The council shall have power by ordinance to make further regulations for carrying out the provisions of this article.

ARTICLE XIII.

ELECTIONS

Section 1.—Elections.—A general city election shall be held on the first Tuesday after the first Monday of November, A. D. 1911, and on the first Tuesday after the first Monday of November of every second year thereafter.

The commissioners first elected shall take office on the third Monday in November, A. D. 1911. The three commissioners first found to be elected upon canvassing the vote and having the highest majorities shall hold office until January 1, A. D. 1916; and the other two until January 1, A. D. 1914.

The member of the Civil Service Commission receiving the highest vote shall hold his office until January 1, A. D. 1918;

the member receiving the next highest vote, until January 1, A. D. 1916; and the third highest until January 1, A. D. 1914.

Section 2.—Nominations.—The nomination and election of all officers shall be as follows and not otherwise: The name of a candidate shall be placed upon the ballot when a verified petition shall have been filed in his behalf in manner and form and under the conditions following:

State of Colorado,)
(ss.
County of Pueblo.)

I do herein join in a petition for the nomination of .....whose occupation is....., whose residence is at number..... street, Pueblo, for the office of ..... to be voted for at the city election to be held in Pueblo on the.....day of..... A. D. 19.....; and I certify that I am a qualified elector and that I have not signed more certificates than there are places to be filled in the above named office; that my residence is at number ..... street, Pueblo.

I further certify that I join in this petition for the nomination of the above named person believing that he has not become a candidate, directly or indirectly, as the nominee or representative of or because of any promised support from any political party.

(Signed).....

Subscribed and sworn to before me this..... day of.....A. D. 19.....

.....

Notary Public.

This certificate, if found insufficient, shall be returned to .....at number ....., ... street, Pueblo.

Upon application the clerk shall furnish a reasonable number of such blank certificates. Each certificate shall contain the name of but one signer and of but one candidate. If an elector files conflicting certificates, all such conflicting certificates shall be rejected. A petition of not less than one hundred such certificates for any one candidate for commissioner and not less than one hundred for a member of the civil service commission must be presented to the city clerk not earlier than on the thirtieth nor later than on the twentieth day before election. The clerk shall indorse thereon the date on which the petition was presented to him.

When a petition is presented to the city clerk he shall forthwith examine same and ascertain whether it conforms to the provisions of this article. If found not to conform thereto, he shall in writing designate thereon the defect, omission or reason why such petition cannot be filed, and shall forthwith return same to the person designated. The petition may then be amended and not later than the third day after said peition shall have been mailed, again be presented to the city clerk, as in the first instance. The city clerk shall forthwith proceed to examine the amended petition. When either the original or the amended petition is found sufficient as herein provided, the city clerk forthwith shall file same.

Section 3.—Acceptance.—Any person nominated under this article shall file his acceptance with the city clerk within five days from the filing of the petition and in the absence of such acceptance the name of the candidate shall not appear on the ballot. In said acceptance he shall make affidavit that he is not a candidate, directly or indirectly, of any political party or because of promised support, directly or indirectly, of any political party or of any public service corporation or of any person, firm or corporation, owning, interested in, or intending to apply for any franchise, or contract with the city.

Any person who has been nominated, may, not later than fifteen days before the day of election, withdraw by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be placed upon the ballot.

Section 4.—Notices.—The city clerk, on the tenth day before election, shall prepare a list of the candidates whose names are entitled to appear on the ballot, with the office to be filled,and shall publish the same in a notice of the election three successive days before the election, in not more than two daily newspapers of the city.

Section 5.—Form of Ballot.—The clerk shall cause the ballots to be printed, bound, numbered, endorsed and authenticated, as provided by state law, except as otherwise required in this charter or by the ordinances of the city. When the number of candidates is more than three times the number of places to be filled, the ballot shall contain the list of names and the respective offices as published in the election notice in substantially the following form.

General (or Special) city election, Pueblo (inserting date thereof.)

Instructions to voters.—To vote for any candidate place a cross (X) mark with ink in a blank space opposite the name of the candidate for whom you desire to vote. If you wrongly mark, tear or deface this ballot, return it to the judges of election and obtain another.

Do not vote more than one choice for any candidate as only one choice will be counted.

FOR COMMISSIONERS (Five or the proper number to be elected.)

Names of Candidates:

	First Choice Vote for (Proper number)	Second Choice Vote for (Proper number)	Third Choice Vote for (Proper number)
AA			
BB			
CC			

When the number of candidates is more than three times the number of places to be filled the ballot shall contain three columns as above, headed respectively, First, Second and Third Choice, so that there shall be three blank spaces after the name of each candidate, one under each of said designations.

When the number of candidates is more than twice and not more than three times the number of places to be filled the ballot shall contain first and second choice columns only and when the number of candidates is not more than twice the number of places to be filled only one column for marking votes shall appear.

The instructions to voters shall be changed to correspond with the number of columns for choices on the ballot.

All ballots shall be of the same size, quality, tint of paper, kind of type and color of ink. Space shall be provided for charter amendments and other questions to be voted on at city elections. The names of candidates shall be arranged by lot by the clerk, on twenty-four hours notice by mail to all can-

didates. Nothing on the ballot shall indicate the source or support of candidacy. No ballot shall have printed thereon any party or political designation or mark and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything indicating his views or opinions.

The clerk at least ten days before election shall cause 2000 sample ballots to be printed upon paper of different color but otherwise identical with the ballots to be used at the election and shall distribue the same upon application to registered voters.

Section 6.—Canvass of Returns.—(a) As soon as the polls are closed the judges shall count and enter the number of first, second and third choice votes for each candidate on the tally sheet and make return thereof to the clerk, as provided by law.

(b) If a ballot contains more than one vote for the same candidate, only the vote highest in rank shall be counted. If a ballot contain more votes under any choice than there are places to be filled, no vote in such column shall be counted.

(c) Candidates receiving a majority of first choice votes for any office shall be elected. If the full number of candidates to be elected do not receive such a majority of the first choice votes for such office, a canvass shall then be made of the second choice votes received by those candidates for said office who are not elected by first choice votes; said second choice votes shall be added to the first choice votes received by such candidates, and candidates who by such addition shall receive a majority shall be elected.

(d) If by the count of either first choice votes or first and second choice votes, as above provided, more candidates than there are places to be filled shall receive a majority, the candidate or candidates equal in number to the number of places to be filled having the highest vote shall be elected.

(e) If the full number of candidates to be elected do not receive a majority by adding first and second choice votes, as above directed, a canvass shall then be made of the third choice votes received by those candidates for said office who are not elected, either by first choice votes or by adding first and second choice votes. Said third choice votes shall then be added to the first and second choice votes received by such candidates, and the candidates, equal in number to the number of places

remaining to be filled who received the highest number of votes by said addition shall be elected.

(f) A tie between two or more candidates shall be decided in favor of the one having the highest number of first choice votes. If they are also equal in that respect, then the highest number of second choice votes shall determine the result. If this does not decide, then the tie shall be determined by lot.

(g) The word majority when used in this charter shall mean more than one half of the total number of first choice votes case for all the candidates for any office, divided by the number of places to be filled in such office at such election.

Section 7.—Precincts.—The council shall have power to divide the city into election precincts and to make such changes in the boundaries thereof as may be necessary from time to time.

Section 8.—Polling Places.—At least ten days prior to the sitting of the resigstrars at any city election, the city clerk shall select and contract for a suitable place in each precinct at which the registration and election shall be held.

Section 9.—Registration Books.—The city clerk shall procure from the county clerk the registration books used at the election of officers under this charter, and from them and from the poll books used at said election shall transfer the names of all who voted at said election to new permanent city registration books, covering the precincts created by the council. The council shall provide two registration books for each precinct, in form as now provided by statute, except that on the left side of the left page of each book, twelve colmuns shall be ruled, each headed "date of election."

Section 10.—Registrars and Judges.—The civil service commission, upon the first Monday in September, A. D. 1913, and every two years thereafter, shall appoint two registrars of election for each precinct. At the same time they shall appoint one judge and two clerks, who, together with the two registrars mentioned above, shall act as judges and clerks of election during the succeeding two years. Temporary judges and clerks shall be appointed in March 1912. Each registrar shall be entitled to $5.00 for registration and each judge and clerk shall be entitled to $5.00 for election.

The registrars, judges and clerks shall be qualified electors in their precincts and capable men, of good repute and char-

acter, who speak, read and write the English language. They shall hold no office or employment nor be candidates for office or employment under the United States, State, County or City.

Each person so selected shall be notified to appear at a time specified for examination. If found qualified he shall be bound to serve unless excused by reason of ill health, old age or other cause satisfactory to the commission.

The civil service commission shall keep a book in which shall be recorded the names of all registrars, judges and clerks agreed upon; and if, at the time specified for examination any shall fail to appear or shall be rejected or excused, such fact shall be noted in said book. No person shall be compelled to serve again for four years. Any person so notified who shall fail to appear before such board or who shall refuse to serve shall be deemed guilty of a misdemeanor.

Upon the appointment of such registrars, judges and clerks the commission shall cause to be published a list of the same in not more than two newspapers of Pueblo. At any time within three days after such publication any person may present objections to the appointment of any registrar, judge or clerk. Upon hearing such objections the commission may either confirm or reject such registrar, judge or clerk.

Said commission may at any time for incapacity, dishonesty or neglect of duty remove any registrar, judge or clerk of election and fill the vacancy so caused.

Section 11.—Registration.—The registrars shall sit at the polling places in each precinct on the first Tuesday in October, A. D. 1913, from 9 a. m. to 9 p. m. and on the first Tuesday in October every two years thereafter to register legal voters who present themselves in person. The name of a voter once registered shall remain on the registration list until stricken as herein provided.

It shall be the duty of the city clerk to register all legal voters who present themselves in person at his office during office hours, except during the period from Tuesday four weeks before any election, to and including the day of such election.

On the day before any election at least two judges in each precinct shall call in person at the city clerk's office and receive one of the registration books for their precinct, together with ballots and other necessary supplies.

The city clerk and the registrars and judges of election shall have power to administer oaths similar to those provided by state law in registering voters and in conducting all matters relative to city elections.

Section 12.—Purging Registration.—At any time up to and including Tuesday three weeks before any election any qualified elector may file a verified complaint with the judge of the municipal court, giving the name or names, of any person or person, whom he believes to be illegally registered with his reasons therefor. Summons shall thereupon be issued to and served upon the person or persons, alleged to be illegally registered, either personally or by leaving a copy thereof at the place from which he or they are registered and upon the city clerk and the registrars of the precincts where such illegal registration is charged, not less than forty-eight hours prior to the time of the hearing, commanding them to appear before the municipal court at a time certain, not less than three nor more than five days after the filing of such complaint. If upon hearing it shall appear that any such person or persons have been illegally registered, their names shall be stricken from the registration lists.

Section 13.—Change in Registration.—Any voter registered in one precinct and who has moved to another may present himself in person at the city clerk's office at any time up to and including Monday one week before any election and change his registration to such new precinct. No person shall be permitted to vote unless he resides in the precinct where registered.

Section 14.—Informalities.—No informalities in conducting city elections shall invalidate the same, if they have been conducted fairly and in substantial conformity with the requirements of this charter.

Section 15.—Statement of Expenses.—Every candidate at any city election shall within thirty days thereafter file an itemized statement under oath showing in detail all the moneys contributed or expended by him directly or indirectly in aid of his election, and giving therein the names of the various persons receiving such money and the specific nature of each item, and the purpose for which expended or contributed.

Section 16.—Corrupt Practices.—Any person who shall at any city election violate any state law, provision of this charter or ordinance of Pueblo relative to registration or election,

or who if a candidate, shall fail to file a sworn statement of expenses as herein required, upon conviction thereof, shall be disqualified from holding any office, position or employment under the city for two years.

Section 17.—Carriages and Expenses.—No person, corporation, partnership, association or organization shall carry or convey any person to or from any polling place on the day of any city election, or to or from any place established for the registration of voters for any such election during the time such registration is in progress. No person, corporation, partnership, association or organization shall rent or hire any carriage, wagon, automobile or other conveyance from or to any person, corporation, partnership, association or organization to be used for the carrying or conveying of any person who intends to vote, or who has voted at such election, or intends to register or has registered during such registration, to or from any polling place established for the holding of any city election, or to or from any place established for the registration of voters. No person shall ride in any carriage or conveyance to any such polling place, or place of registration, with the intention of participating in such election or registration or from any such place after voting or participating in such election or registration; provided that nothing herein contained shall forbid or prevent any person from riding to such polling or registartion place in a carriage or conveyance belonging to such person or a member of his or her immediate family, or rented by such person for the general family use of such person or the members of his family, nor shall the provisions of this charter forbid or prevent the owner of any such carriage or conveyance from carrying or conveying to or from such polling place or places of registration, persons who are infirm or disabled, provided that no compensation is received or charged for such service.

No candidate shall employ workers to canvass for his election, aid in registering or in bringing voters to the polls.

No candidate shall expend any money for treats, cigars, candy, liquors or refreshments of any kind, or for any donation or thing intended to influence the vote of any person.

No candidate shall combine with any other candidate or candidates, either before or after nomination, to form a ticket, slate or set of nominees for the prosecution of a joint campaign, or to maintain or help to maintain any headquarters therefor.

No candidate shall make any subscription to any headquarters, committee or person working for the election of any other candidate but himself.

No candidate shall make any donation, gift or subscription to any church or charity, to any public or private institution, or to any person, directly or indirectly, to influence the vote of any person, or by the purchase of any ticket, chance or other thing effect the same end while a candidate.

No candidate shall accept any contribution, directly or indirectly, from any person, firm or corporation.

Each candidate for office may spend not to exceed $125 in his campaign for nomination and election.

No political party, directly or indirectly, and no public service corporation, nor any other person, firm or corporation owning, interested in, or intending to apply for any franchise or contract with the city, shall contribute or expend any money or valuable thing, directly or indirectly, to assist in the election or defeat of any candidate or candidates.

The term candidate as used in this article shall mean and apply to any person seeking nomination or election to any city office in Pueblo.

The provisions and prohibitions of this article relating to candidates shall also apply to each and every city officer and employe in Pueblo.

Section 18.—Qualified Electors.—The word qualified elector when used in this charter shall mean a person possessing legal qualification as a voter under the constitution and laws of this state, and whose name appears upon the registration list of the precinct in which he resides.

Section 19.—Taxpaying Electors.—The word taxpayer or taxpaying elector, when used in this charter shall mean a qualified elector who has paid a property tax in Pueblo within one year preceding such election.

Section 20.—Watchers.—Upon petition of one or more candidates, giving the name, occupation and residence of the person they desire in any precinct the civil service commission shall appoint such person as watcher, but such watcher shall receive no compensation.

Section 21.— Number of Ballots.—The city clerk shall pre-

pare and deliver to the judges of election for use on election day a number of ballots equal to the numbers of persons registered in such precinct plus twenty-five.

Section 22.—Signing Petitions.—Whenever the signing of a petition is provided for in this article the person so signing shall add to his signature his place of residence and number of his precinct, and all signatures to which this information is not appended shall be disregarded.

Section 23.—Striking Names.—Within fifteen days after any general city election the city clerk shall strike from both registration lists in each precinct the name of every person who failed to vote at such election.

Section 24.—Election Regulations.—The provisions of any state law now or hereafter in force, relating to the qualification and registration of electors, the manner of voting, penalties for violations thereof, the duties of election officers, the canvassing of returns and all other particulars in respect to the management of elections, except as otherwise provided in this article, so far as they may be applicable, shall govern all city elections.

The council shall meet as a canvassing board on the third day after every city election and canvass the result thereof.

Within twenty-two hours after the closing of the polls at any election the judges of election in each precinct shall count the vote cast and certify the result to the city clerk at his office in the city hall.

Secion 25.—First Charter Election.—The precincts, polling places and registrars and judges of election as provided under existing law and the registration and election laws for the conduct of elections so far as not in conflict with this charter shall govern the holding of the first election of officers hereunder.

Section 26.—Penalties.—Any person, firm or corporation violating any of the provisions of this article, in addition to the penalties heretofore prescribed, upon conviction, shall be fined not less than fifty dollars nor more than three hundred dollars, or imprisoned not exceeding ninety days for each offense.

Section 27.—Election Ordinances.—The council shall have

power, by ordinance, to provide for all matters and things relative to the conduct of city elections not provided for in this charter.

ARTICLE XIV.

WATER AND WATER WORKS

Section 1.—Consolidation.—The council shall have power to acquire by purchase or condemnation all of the property of every kind and character owned or operated by either or both of the two water districts contained within Pueblo and after such acquisition of the properties of either or both of said water districts to manage and control the same.

Section 2.—Vote of Electors.—The Boards of Commissioners or Trustees of such water districts shall have power and authority to contract and agree with the Council for the sale, transfer, and conveyance of the property belonging to their respective district to Pueblo; provided that all such contracts or agreements, before becoming binding and effective, must be submitted for approval or rejection by the Council to a vote of the qualified electors of such district at a general city election or at a special election called therefor. If said contract or agreement shall be approved by the vote of a majority of the votes cast at such election, such board of commissioners or trustees shall convey and transfer the property of such district in accordance with the terms of such agreement.

Section 3.—Bonds.—The Council shall have power to issue and said boards of commissionesrs or trustees shall have power to accept bonds of Pueblo in payment of the purchase price of such properties. The Council may issue and sell the bonds of the city for the purpose of producing funds for the purchase of such properties and the purchase price of such properties may in such event be paid and accepted in cash. No bonds shall be issued by the city for such purpose bearing interest at a rate higher than four and one-half per cent per annum.

Section 4.—Proceeds of Sale.—All bonds or money received by any such board of commissioners or trustees of any water district shall be deposited with the treasurer of the city to be by him held, together with all interest received thereon, for the use and benefit of the portion of the city comprised within the limits of the Water District, the property of which has been so purchased or condemned. Such bonds or money so held shall be used and applied by the treasurer only for

the use and benefit of such district and in accordance with the provisions of an ordinance or ordinances passed by the council which shall only be in force and effect when approved by a majority vote of the electors of such district at a general or special city election. Upon the purchase or condemnation of all of the property of such water district, such district shall be dissolved and cease to exist except for the purpose of the levy of taxes to pay outstanding bonds issued by such district which bonds shall be paid from taxes levied upon the property within such district or from the proceeds of the sale or condemnation of the property of such district.

Section 5.—District Number Two.—The water plant together with all other property belonging to Public Water Works District Number Two shall continue to belong to said District and be held, managed and operated in the same manner as at present, until the ownership, control and management shall be changed pursuant to the provisions of this charter, and no change shall be made except as herein provided unless such change be approved by the vote of a majority of the qualified electors of such District voting at a general or special election upon such question.

Section 6.—Terms of Commissioners.—The terms of office of the commissioners of said Water District now in office are hereby extended to January 1, 1914, unless terminated sooner through the acquisition by the city of the property of such District. Until such acquisition three commissioners of said Water District shall be elected at each general city election, commencing with such election in 1913, and shall hold office for a term of two years. Said commissioners shall possess the powers as are now exercised by the commissioners of said District.

Section 7.—Pueblo Water Works.—That at the general city election, to be held in November, 1911, and at each general city election thereafter until the dissolution of such district there shall be elected at large, by the qualified electors residing north of the Arkansas River, three trustees of the Pueblo Water Works, whose terms shall begin at the same time as that of the members of the council. The term of the three trustees first elected shall expire January 1, 1914, and the term of office of each trustee thereafter elected shall be two years, unless terminated sooner by the acquisition by the city of the property of such district. The trustees so elected shall hold the title to, and manage and control the water plant and other

property formerly owned by the former city of Pueblo, and all property heretofore acquired by the Trustees of the Pueblo Water Works, and heretofore managed and controlled by the aldermen elected from the wards lying north of the Arkansas River. Such Trustees shall make full and detailed monthly reports to the city treasurer of all the affairs under their charge. They shall deposit all moneys received by them from the operation and management of the property under their charge with the city treasurer and shall pay all bills and accounts by check or warrant on the treasurer, to be paid from the funds on deposit to their credit. Every warrant or check so drawn shall specify the object or purpose for which it was drawn.

Section 8.—Election.—The nomination and election of such commissioners and trustees shall be conducted in the same manner as is herein provided for the nomination and election of members of the Council.

Section 9.—Contracts.—No contract shall be entered into, or any purchase made, by the trustees or commissioners of said Water Districts involving the expenditure of a sum in excess of $200 until a proposal for bids for the materials or services covered by such contract of purchase shall have been advertised by one publication in a newspaper of general circulation for a period of ten days. No contract or purchase involving an expenditure or indebtedness in excess of $25,000 shall be entered into or made, until submitted to a vote of the legal voters residing within such Water District, and approved by the vote of a majority of those voting on the question. Said trustees or commissioners shall have such other powers and duties and be subject to such restrictions and limitations as the council by ordinance may prescribe.

ARTICLE XV.

ILLEGAL CONTRACTS

Section 1.—By Officials.—If any valuable consideration of any kind shall be given or paid, directly or indirectly, by any party in interest to any officer or employe of the city, or of any water or park district or other department or subdivision of the city, for the purpose of procuring or inducing any such officer or employe to aid in procuring any contract, franchise, ordinance or resolution of any kind to be entered into, enacted, passed, adopted, or signed for any purpose by the city of Pueblo, or any water or park district, or any department or

subdivision thereof, such contract, franchise, ordinance, or resolution shall be void, and shall confer no rights of any kind upon any person, firm or corporation.

Section 2.—Improper Inducements.—If any valuable consideration shall be offered or paid by any person in interest, directly or indirectly, to the owner, or agent, or the representative or any owner of property, located within any improvement district, for the purpose of inducing such person to sign a petition for any improvement or construction, the cost of which is to be in whole or in part assessed against the property fronting upon such improvement or within the district where such improvement is to be constructed, or if any commission, percentage, rebate, or reduction from, or on account of the cost of such improvement shall be offered or paid, directly or indirectly, to the owner of any property to be assessed for such improvement, for the purpose of procuring signatures to a petition, or the letting of a contract for such improvement or construction; any contract made or awarded for such improvement or construction shall be void, and no obligation, liability, or assessment shall attach to, or bind the city, or any property within the city for or on account of such contract.

Section 3.—Corruptly Influencing Voter.—If any valuable consideration of any kind be offered or paid by any person, firm, or corporation, or by any agent or representative thereof, seeking a franchise from the city, to any person, to induce such person to vote for the granting of any such franchise at any election held in this city, such franchise so granted shall be void.

Section 4.—Limitation.—No action shall lie to enforce any provision of this article unless commenced within ninety days from the execution of the contract, the final passage of the ordinance or resolution, the filing of the petition, the letting of contract or the granting of the franchise affected thereby.

ARTICLE XVI.

GENERAL PROVISIONS

Section 1.—Amendment.—This charter may be amended in manner as provided in Article XX of the Constitution of the State of Colorado.

Section 2.—Present Ordinances in Force.—All ordinances of Pueblo in force at the time this charter goes into effect shall continue in force except in so far as they conflict with

the provisions of this charter or shall be amended or repealed by ordinances enacted under the authority of this charter.

Section 3.—Present Laws Apply.—The laws of the state of Colorado in force at the time this Charter goes into effect in relation to cities of the first class shall apply to and be the law applicable to Pueblo in all respects, except in so far as they conflict with the provisions of this charter or amendments hereafter made hereto or the ordinances of Pueblo, enacted pursuant to the authority granted by this charter.

Section 4.—Withdrawals.—Any signer upon a petition for any construction or improvement, may withdraw his name therefrom at any time before the first publication of the ordinance ordering such construction or improvement.

Section 5.—Process.—All legal process against the city shall be served upon the president or vice president of the council.

Section 6.—Construction of Words.—Whenever such construction is applicable, words used in this charter importing the singular or plural number may be construed so that one number include both; words importing masculine gender may be construed to apply to the feminine gender as well; and the word person may extend to and include firm and corporation; provided, that these rules of construction shall not apply to any part of this charter containing express provisions excluding such construction or where the subject matter or context is repugnant thereto.

Section 7.—Eight Hour Day.—Eight hours shall constitute a legal day of work for all persons in the employ of the city and upon all city work done under contract and all employments and contracts with the city are hereby made subject to this provision.

Section 8.—First Election.—The form of government existing in Pueblo at the time this charter takes effect and the officers acting thereunder shall continue until the third Monday of November, A. D. 1911, at noon, except as to the calling and holding of the first election of officers. Said election and the registration of voters therefor shall be as provided in this charter. The city clerk shall call said election and shall provide for the registration therefor. In case there is not sufficient funds available to meet the expenses of the registration of voters and holding of said election the present Mayor and City Council shall provide for issuing special warrants for such expenses and the proper officers shall issue same. The payment of such warrants shall be provided for by the commissioners elected under this charter in the annual appropriation for 1912.

Section 9.—Oath of Office.—Each elective commissioner, each member of the civil service commission, the city controller, the city engineer, the judge of the municipal court, the city clerk, the city attorney, the head of every department created by this charter or by ordinance and every appointee under the civil service, before entering upon the duties of his office or employment, shall take, subscribe and file with the city clerk to the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the Constitution and Laws of the United States and of the State of Colorado and the Charter and Ordinances of Pueblo; and that I will perform the duties of my office or employment and to the best of my knowledge and ability, maintain an efficient service in the city, free from partisan distinction and control, so help me God.

DONE IN CONVENTION, at the Council Chamber in the City Hall in Pueblo, Colorado, this twenty-eighth day of July, in the year of our Lord, One Thousand Nine Hundred and Eleven, and of the Independence of the United States of America the one hundred and thirty-fifth.

IN WITNESS WHEREOF, We have hereunto subscribed our names.

CHARLES A. BALLREICH, President.
JAMES K. DEMPSEY, Vice President.
FRED E. BRITT, Secretary.
ALVA B. ADAMS.
WILLIAM L. ANDERSON.
J. KNOX BURTON.
C. W. CREWS.
W. L. GRAHAM.
JOHN F. KEATING.
WILLIAM D. KEEN.
CHARLES J. LEFTWICH.
W. S. MARBLE.
EDWIN G. MIDDELKAMP.
C. K. McHARG.
WILKINS O. PETERSON.
GEORGE W. ROE.
FRED O. ROOF.
CALVIN A. SPENCER.
ROBERT M. STETSON.
WILLIAM J. WHITLOCK.
WILLIAM H. YOUNG.

INDEX

	Page	Section
ALLEY PAVING	9	9 (c)
AMENDMENTS	56	1
APPOINTEES, How selected	26	11
APPROPRIATIONS, When made (See Finance and Taxation)	31	6
ASSESSING COST OF IMPROVEMENTS	10	10
ATTORNEY, CITY	21	4
Attorney of five years practice	21	4
Bond	22	7
Draw ordinances, etc.	21	4
Term	19	1
When appointed	19	1
BILLBOARDS	9	7
BILL DISTRIBUTING	9	7
BOILER INSPECTION	6	2
BONDS, Appeal	29	6
Park District	34	13
Official	22	7
BOUNDARIES OF PUEBLO	3	1
BUILDING AND FIRE REGULATIONS	6	2
BUILDINGS, Council may condemn	10	9 (e)
CIVIL SERVICE	23	VII
Advancement from lists	25	6
Applicants duties and qualifications	24	4
Appointees, how selected	26	11
Classification	26	12
Departments retained	26	10
Dismissal of employes	26	9
Examinations competitive	24	3
Examinations for advancement	24	5
Participation in politics prohibited	25	7
Rules and examinations	23	2
Soliciting contributions prohibited	25	8
Suspension of employes	26	9

	Page	Section
CIVIL SERVICE COMMISSIONERS		
Certify to emergency appropriations	33	7
Compensation	23	1
Controller act as clerk	23	1
Controller appointed by	27	13
Elected, at large	3	1
Hold no other office	23	1
Judges of election, appointed by	24	2
President	23	1
Qualifications	4	2
Terms of	42	1
Vacancies, how filled	4	3
When elected	42	1
(See elections)		
CLASSIFICATION, Under civil service	26	12
CLERK, CITY	20	2
Attest warrants, etc.	20	2
Bond	22	7
Custodian of records	20	2
Draw and issue licenses	20	2
Keep journal	20	2
Term	19	1
When appointed	19	1
COCAINE, Sale of prohibited	7	3
COMMISSIONERS,		
Assigned to departments	16	1
Attend to duties	23	9
Bonds	22	7
Duties may be changed	18	7
How elected	3	1
Known as council	4	1
May be recalled	38	1
Not use passes	23	8
Number of	3	1
Oath of office	58	9
Qualifications	4	2
Salaries	21	6
Term of office	42	1
When elected	42	1
CONSTRUCTION OF WORDS	57	6
CONTRACTS, (See illegal)		

	Page	Section
CONTROLLER, CITY	20	3
Audit payrolls	20	3
Bond	22	7
Clerk to civil service	23	1
How appointed	27	13
Issue warrants, etc.	20	3
Prescribe form for books, etc.	20	3
Print annual statement	21	3
Salary	21	6
Term	19	1
When elected	19	1
COUNCIL, THE	4	III
Acquire water works	53	1
Act by ordinance, resolution or motion	5	5
Appointments by roll call	6	8
Canvass election returns	52	24
Composed of three commissioners	3	1
Contracts for $10,000 or more, how authorized	5	5
Departments	16	1
General powers	15	20
Issue revocable licenses	36	8
Issue revocable permits	37	12
Let advertising	15	18
License street cars, etc.	35	4
Make appointments	26	11
Make tax levy	31	3
May change departments	16	1
May change duties of commissioner	18	7
May regulate rates and fares	35	3
Meetings and quorum	5	4
Members must vote	5	5
Members not hold other public offices	5	3
Number of employes fixed by	18	8
Order recall election	39	3
Ordinances how passed	5	5
Pass appropriation ordinance	31	6
Pass or submit initiated ordinance to the people	41	2
President and vice president	4	2
President, duties of	4	2
President, no veto	4	2
Publish monthly statement	6	7
Publish ordinances	5	6
Raise or lower tracks	36	6
Repeal or refer ordinance	42	3
Restrictions on members	5	3

	Page	Section
COUNCIL, POWERS OF	6	IV
Advertising	15	18
Assessment of cost for improvements	10	10
Auditorium, power to build	12	12
Buildings, power to tear down	10	9 (e)
Cemeteries, power to purchase	13	15
Certify assessments to Co. Treasurer	10	10
Condemnation proceedings	13	13
Fix paving assessments	11	11
General powers	15	20
Licenses, power to issue	8	7
Liquors, license regulations, etc.	14	17
Market place, power to construct	12	12
Over streets, alleys, etc.	8	6
Parks, power to purchase	13	15
Playgrounds, power to establish	12	12
Public libraries	13	14
Public works	12	12
Rubbish, removal of	10	9 (f)
Water tax, to levy	15	19
Weeds, cutting of	10	9 (g)
COURTS, See judicial department		
CURBING AND GUTTERING	9	9 (h)
Assessment for	10	10
DAY, Eight hours on contracts	57	7
DEPARTMENTS—See Public Safety; Finance and Supplies; Highways; Parks, Lighting and Water; Health, Inspection and Sanitation		
DEPARTMENTS RETAINED	26	10
DISMISSAL OF OFFICERS AND EMPLOYES	26	9
EIGHT HOUR DAY	57	7
ELECTIONS	42	XIII
Acceptance of nomination	44	3
Appointment of watchers	51	20
Canvass of returns	46	6
Changes in registration	49	13
Choices, how counted	46	6
Combination of candidates, prohibited	50	17
Corrupt practices	49	16
Faulty petition, amended	44	2
First election	52	25
First election	57	8
Form of ballot	44	5
Form of petition	43	2
Hired workers prohibited	50	17

	Page	Section
ELECTIONS—Continued.		
Informalities not invalidate	49	14
Jurisdiction of municipal court	49	12
Limitation of expense	51	17
Majority, meaning of	47	6 (g)
Names required on petition	43	2
Nominations, how made	43	2
Number of ballots furnished	51	21
Officers elected	42	1
Party names, prohibited	46	5
Penalties	52	26
Polling places, selection of	47	8
Precincts, created or changed	47	7
Preferential system	44	5
Publication, list of candidates	44	4
Qualified elector defined	51	18
Registration books	47	9
Registrars and judges, appointed	47	10
Examined	48	10
Must serve	48	10
Registration, by City Clerk	48	11
In precincts	48	11
Purging of	49	12
Signing petitions	52	22
Statement of expenses to be filed	49	15
State laws apply	52	24
Striking names from registration lists	52	23
Subscriptions and donations, prohibited	51	17
Taxpaying elector defined	51	19
Time of	42	1
ELECTIVE OFFICERS	3	11
Attend to duties	23	9
May be recalled (See recall elections)		
Not use passes	23	8
Oath of	58	9
Qualifications of	4	2
Vacancies, how filled	4	3
Who are	3	1
EMERGENCY APPROPRIATION, (See finance and taxation)		
EMPLOYES		
Must turn in fees collected	22	6
No compensation but salaries	22	6
Number and duties of fixed by council	18	8
Suspension or dismissal of	26	9

	Page	Section
ENGINEER, CITY		
Bond	22	7
Duties of	21	5
Term	19	1
When appointed	19	1
FEES, PAID TO CITY	22	6
FINANCE AND TAXATION	30	IX
Accounts separate	34	10
Annual appropriation ordinance	31	6
Appropriation not exceed estimated revenue	32	6
Contracts limited as to time	33	8
Emergency appropriation, how made	33	7
Emergency appropriation, how provided for in next annual appropriation	33	7
Expenditures not to exceed appropriations	32	7
Fiscal year	30	1
Limit of indebtedness	34	11
Penalty for exceeding appropriation	33	7
Refunding bonds	34	13
Tax levy, failure to make	31	5
How certified	31	4
When made	31	3
Warrants, how issued	33	9
(See single tax)		
FINANCE AND SUPPLIES, Commissioner of	17	3
Advertise for bids	18	9
Collect all monies	17	3
Ex Officio City Treasurer	17	3
Furnish supplies on requisition	19	9
Make reports in writing	19	9
Purchase all supplies	17	3
FIRE DEPARTMENT		
Council maintain	6	1
Twelve hour shifts	6	1
Vacations	6	1
FISCAL YEAR	30	1
FRANCHISES AND PUBLIC UTILITIES	35	X
Common use of tracks	36	9
Council order wires underground	36	7
Council provide for safety of public	36	7
Council regulate rates and fares	35	3
Council require uniform and adequate service	35	3
Elevate or lower tracks	36	6
Expense of franchise election	35	1
Extension of franchises	37	13

	Page	Section
FRANCHISES AND PUBLIC UTILITIES—Continued.		
Firemen and Policemen carried free	35	5
Franchise on vote of taxpaying electors	35	1
Franchise record kept by clerk	36	10
License tax on cars, telephones, etc.	35	4
Public utility defined	37	14
Revocable licenses	36	8
Revocable permits	37	12
Term and restrictions of franchises	37	11
GENERAL PROVISIONS	56	XVI
GUTTERING AND CURBING	9	9 (b)
HEALTH, Commissioner, Powers and Duties of	17	6
Ordinances regarding	7	4
HEALTH DEPARTMENT		
Power of council to provide	7	4
HEALTH, INSPECTION AND SANITATION	17	6
HEALTH REGULATIONS	7	4
HIGHWAYS, Commissioner of	17	4
HIGHWAYS AND STREETS		
Alley paving	9	9 (c)
Assessing improvements	10	10
Condemnation of	13	13
Curbing and guttering	9	9 (b)
Paving	10	11
Powers of council regarding	8	6
Sidewalks	9	9 (a)
Widening and improving	8	6
ILLEGAL CONTRACTS	55	XV
Actions must be commenced in ninety days	56	4
By officials void	55	1
Defined	55	1
Improper inducements to secure signatures	56	2
Influencing voters corruptly	56	3
Percentages, rebates, etc., prohibited	56	2
IMPROVEMENTS, PUBLIC	9	9
Cost, how assessed	10	10
Cost, how collected	10	10
INITIATIVE AND REFERENDUM	40	XII
The initiative	40	1
Petition for	40	2
Percentage of votes required	41	2
How submitted	41	2

	Page	Section
The referendum		
People's ordinances cannot be amended by the council	42	5
Percentage of votes required	41	3
Petition for	41	3
How submitted	42	3
Not apply to appropriation or special improvement ordinances	41	3
Further regulations	42	6
JUDGES OF ELECTION, Appointed by Civil Service Commission	24	2
JUDGE OF MUNICIPAL COURT		
Actions, How commenced	28	3
Appeals	29	6
Bail	28	3
How appointed	19	1
Judgments, how satisfied	28	4
Judgments and procedure	28	2
Keep book	29	4
Make rules	29	5
Maximum fine	28	2
Protem, appointed how	27	1
Report fines, penalties, etc.	29	4
Salary	21	6
LEGAL PROCESS, how served	57	5
LICENSES		
Council prescribe form, etc.	8	7
Liquor	14	17
Fee for	14	17
Number of	14	17
Revocation of	15	17
MEETINGS OF COUNCIL	5	4
MISDEMEANORS, defined	7	3
Ordinances regarding	7	3
MUNICIPAL COURT, (See judge)		
OATH OF OFFICE	58	9
OCCUPATION TAX	9	8
OFFICERS AND EMPLOYES	19	VI
Attend to duties	23	9
Bonds of officers	22	7
Compensation, extra prohibited	22	6
Compensation, may be changed	22	6
Officers, when appointed	19	1
Officers, who are	19	1
Passes prohibited	23	8

	Page	Section
OFFICERS AND EMPLOYES—Continued.		
Salaries	21	6
Suspension or dismissal	26	9
Term of	19	1
Terms and salaries fixed by ordinance	21	6
Turn fees to city	23	6
(See attorney, clerk, controller and engineer)		
ORDINANCES	5	5
Annual appropriation	31	6
Annual tax levy	31	3
Ayes and nays	5	5
Enacting clause	5	5
Expenditure of over $10,000	5	5
Fixing salaries	21	6
Former in force	56	2
General, council may pass	15	20
Improvements	9	9
Licenses	8	7
Members must vote, on passage	5	5
Occupation tax	9	8
Paving	10	11
President sign	6	6
Published 10 days before passage	5	5
Published once after passage	5	6
Read three times	5	5
Record	6	6
Regarding elections	52	27
Regulate liquor traffic	14	17
Regulate rates and fares	35	3
Water and Park Districts	13	15
(See initiative and referendum)		
PARKS		
Appropriations for	8	5
Commissioner	17	5
Council may provide	8	5
Superintendent	8	5
Under civil service	27	12
PARKS, LIGHTING AND WATER	17	5
PASSES PROHIBITED	23	8
PAVING	10	11
Bonds, how issued	11	11
Cost assessed upon real property and franchises	12	11
Council may establish districts	10	11
Council sit as board of equalization	11	11
Five per cent petition may inaugurate	12	11

	Page	Section
PAVING—Continued.		
Notice of assessment, how published	11	11
Petitions for may be filed	12	11
Protest against assessment	12	11
Thirty per cent may protest	11	11
PLUMBING INSPECTION	6	2
POLICE COURT	27	1
POLICE DEPARTMENT		
Classification	27	12
Commissioner of Public Safety, head	16	2
Council maintain	6	1
Duty to arrest	28	3
Eight hour shifts	6	1
Former retained	26	10
Rewards, from non-residents	22	6
Vacations	6	1
(See civil service)		
POWERS OF COUNCIL, (See council)		
PRESIDENT OF COUNCIL	4	2
Sign ordinances	6	6
PUBLICATIONS OF ORDINANCES	5	6
PUBLIC SAFETY, Commissioner of	16	2
Head of police and fire departments	16	2
Powers and duties	16	2
PUBLIC UTILITIES, (See franchises)		
PUBLIC WORKS, Power of council to construct	12	12
QUORUM OF COUNCIL	5	4
RECALL	38	XI
Affidavit of charges filed	38	1
Clerk check names	39	2
Council call election	39	3
Disqualification of recalled officer	40	7
Filing petition	38	1
Form of ballot	39	4
Nominations, to succeed	40	6
Officer may file reply	38	1
Percentage of voters required	38	1
Petition for	38	1
Petition, How signed	38	1
Petition, State grounds	38	1
Successor elected	40	5
Time of election	39	3
REFERENDUM, (See initiative)		
REQUISITIONS, Made for supplies	19	9
REWARDS, by non-residents	22	6

	Page	Section
RUBBISH, Council may remove	10	9 (f)
SALARIES, How and when fixed	22	6
When changed	22	6
SEWERS AND SEWER DISTRICTS	9	9 (d)
Assessment for	10	10
Construction of	17	5
Flushing and repair	18	6
SIDEWALKS	9	9 (a)
SIGNERS OF PETITIONS MAY WITHDRAW	57	4
SINGLE TAX	30	2
Church lands need not be taxed	30	2 (e)
How levy made	30	2
Lands, franchises and rights of way	30	2 (c)
Liquor licenses not affected	30	2 (d)
Personal property tax not exceed 1 mill	30	2 (a)
Tax on improvements limited	30	2 (b)
SOLICITING CONTRIBUTIONS	25	8
STATEMENTS, Published monthly	6	7
STATUTES APPLY	57	3
STREETS		
Assessment for	10	10
Highway commissioner in charge of	17	4
Powers of council over	8	6
SUPPLIES, purchase of	18	9
SUSPENSION, of officers and employes	26	9
TAX LEVY, When made	30	2
(See Finance and Taxation and Single Tax)		
TAX, Occupation	9	8
TREASURER, Commissioner of Finance and Supplies Ex Officio	17	3
Monies paid to	17	3
WATER AND WATER WORKS	53	XIV
Commissioners and Trustees, how elected	55	8
Contracts in excess of $200, advertised for	55	9
Contracts over $25,000 by vote of people	55	9
Council may issue bonds to purchase	53	3
Council may purchase or condemn	53	1
Council may submit proposition to purchase	13	15
Electors must vote on transfer to city	53	2
Interest on bonds not to exceed 4½%	53	3
Proceeds of bond sale, how disposed of	53	4

	Page	Section
Pueblo Water Works	54	7
Election of trustees	54	7
Make report to city treasurer	55	7
Pay by warrant on city treasurer	55	7
Pay money to city treasurer	55	7
Public Water Works District No. 2	54	5
Election of Commissioners	54	6
Terms of Commissioners	54	6
WEEDS, Council may cut	10	9 (g)
WITHDRAWAL FROM PETITIONS	51	4
WORDS, CONSTRUCTION OF	57	6

FOSDICK
THE
PRINTER

Gaylord Bros.
Makers
Syracuse, N. Y.
PAT. JAN. 21, 1908

UNIVERSITY OF ILLINOIS-URBANA
3 0112 103563109